



CITY COUNCIL
Regular Meeting – December 9, 2019 6:00 p.m.
Council Chambers

*1368 Research Park Dr
Beavercreek, Ohio*

PRESENTATIONS TO OUTGOING COUNCIL MEMBERS

- ◆ Melissa Litteral
- ◆ Zach Upton
- ◆ Julie Vann

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Mayor Stone
- IV. APPROVAL OF AGENDA
- V. PUBLIC HEARING A-19-1 Monica S. Donohoo and William D. Schieman Appeal (CU-19-1)
 - A. Appellant Presentation
 - B. Applicant Presentation
 - C. Public Input
 - D. Council Input
 - E. Motion
- VI. STATE OF THE CITY/BUDGET MESSAGE (City Manager)
- VII. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Resolution 19-70 Accepting the 2020 Budget
 - B. Ordinance 19-30 Annual Appropriations (Single Reading)
 - C. Resolution 19-71 Wage Adjustments
 - D. Resolution 19-72 City Manager and Clerk of Council Wage Adjustment
 - E. Resolution 19-73 Accepting Amounts and Rates and Certifying Them to the County Auditor
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITIZEN COMMENTS
- XI. ADJOURNMENT

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: December 9, 2019	Reference Topic: A-19-1 Donohoo/Schieman Appeal of BZA Case Cu-19-1
Agenda Reference No.: V. A-E.	Motion

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input checked="" type="checkbox"/> Other <u>Motion</u>

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input checked="" type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

The attached are records from the BZA case approving the rebuilding of a 164-foot high wireless telecommunications self-supporting cell tower that was damaged during the Memorial Day tornado and the appeal of the decision. This case was originally heard at the September 11, 2019 BZA meeting and was continued to the November 13, 2019 meeting due to a lack of a majority at the October meeting due to only three members of the BZA in attendance. At the November meeting the motion to approve was passed 3 - 1.

The information includes all documents received by the Board of Zoning Appeals along with the approved minutes of the September 11, 2019 Board of Zoning Appeals meeting. Upon receipt of the appeal, Council was instructed to review the November 13, 2019 BAZ meeting video recording.

The application for Administrative Appeal to City Council for this case was received on November 21, 2019. Once the application is received City Council must hold a public hearing within 30 days. Procedures taken from the City Charter for public hearing appeals is attached for your review.

Council must decide by motion to confirm, reverse, or modify the decision of the Board of Zoning Appeals to the extent that the decision was supported by substantial and reliable evidence on the record.

STAFF RECOMMENDATION:

§ 31.11 PUBLIC HEARINGS.

(C) *Appeals to Council.* When an appeal is made to the Council from a decision of the Planning Commission, the Board of Zoning Appeals, or from any other body as to which there is a right of appeal, the following steps shall be taken:

(1) A notarized petition stating the facts of the case shall be filed with the Clerk of Council within 15 days from the date of the decision. A separate document stating the grounds of the appeal shall be filed with the petition. The fee for such an appeal, as established by the City Manager, shall be deposited with the City Clerk at the time of filing.

(Ord. 90-24, passed 8-13-90)

(2) Upon perfection of a petition of appeal, the Clerk shall immediately notify the Mayor, Council, legal counsel, and the City Manager. A transcript of the board or commission's public hearing (which shall be reproduced from that board or commission's tape recordings) and/or a copy of the video tape along with all other information pertinent to the case shall be provided to the Mayor, Council, legal counsel, and City Manager.

(3) The Clerk will arrange a public hearing with the Council on such appeal to be held not later than 30 days after such appeal has been filed with the Clerk.

(4) (a) At the time of the appeals hearing before Council, the appellant or his representative will be given 15 minutes to explain the appeal and the reasons for requesting such appeal. The applicant, if a person other than the appellant, will also be given 15 minutes if expressing an opposing viewpoint.

(b) Since it is a public hearing, members of the public will be given the opportunity to express their opinion as to the decision Council is to make. No new testimony will be given nor will any witness be called, neither will any new written information or data be accepted at this hearing. Those who speak will not be required to be sworn. The only issues to be discussed are those issues listed on the notarized petition of appeal which was filed. The form for the petition of appeal shall be provided by the Clerk of Council. Rules of conduct and procedure shall be as set forth in division (A) of this section.

(5) After the public has been heard and the hearing has been declared closed by the presiding officer, Council shall enter into discussion which will result in one of the following:

(a) A decision to confirm, reverse, or modify the decision of the board or commission to the extent that the decision was supported by substantial and reliable evidence on the record.

(b) A decision to remand the case to the board or commission for further deliberation.

(c) A continuance of the hearing which shall require proper notification of such to all parties. In the event the Council moves to continue the hearing, the rules of procedure for appeals to Council will begin with Step 3. An exception to the procedure will be that the appellant or applicant will not have an additional 15 minutes to present the appeal. The decision of the Council shall be the final administrative determination. The decision of Council shall be given in writing to the applicant and/or appellant, by the Clerk, within seven days of the decision and a copy filed in the case folder.

(Ord. 91-9, § 111.02, passed 4-8-91)

**APPLICATION FOR ADMINISTRATIVE APPEAL TO CITY COUNCIL
PART A: DOCUMENT STATING GROUNDS OF APPEAL**

City of Beavercreek, Ohio

Application #: _____

Name of Applicant: MONICA S. DONOHOO AND WILLIAM D. SCHIEMAN

Mailing Address: 3971 LA BONNE RD. BEAVERCREEK, OH 45431

Phone Number: (937) 546-7409 Alternate: (937) 344 4204

1. Location Description: BZA CU-19-1

Subdivision Name: 4040 GRAHAM DR. Section: _____ Lot #: _____

Book: _____ Page: _____ Parcel: _____ Zoning District: _____

2. Grounds and Basis of the Appeal: (Describe precisely what decision or act the applicant is appealing.)

Basis:

1. During the BZA hearing on November 13, 2019, the Applicant provided false and/or misleading information to the BZA Board members.

2. The applicant has not provided any detailed written cost estimates, site and pad inspection reports, or other suitable documentation that could assist the City in determining American Tower Corporation's real out-of-pocket cost to replace the old self-supporting tower with a monopole tower.

3. The replacement of a destroyed self-supporting tower with a like-for-like self-supporting tower is not consistent with the general spirit, intent and purpose of the City's Zoning Code.

.....
FOR OFFICIAL USE ONLY

Date Filed: _____ Application Fee: _____

Hearing Date: _____ Received by: _____

**APPLICATION FOR ADMINISTRATIVE APPEAL TO CITY COUNCIL
PART B: PETITION STATING THE FACTS OF THE CASE**

Case # (if applicable): BZA CA-19-1

Board or official whose action is appealed: BZA

Date of decision or action being appealed: 11-13-19

The facts of the case are: (This section is to explain the facts that were discussed at the meeting. Only information discussed at the meeting is allowed to be submitted with this appeal.)

Facts:

1. During the BZA hearing, under questioning from Board members, the Applicant stated that American Tower would receive "zero dollars" from their insurance company if the City required them to replace the old tower with a monopole. This is not true and the Applicant's answers under questioning were misleading.
2. At the hearing, when a citizen pointed out that American Tower didn't provide any written documents detailing the incremental cost of constructing a monopole tower, he was told the single page letter received from American Tower on November 5, 2019 stating "a monopole is estimated to add a minimum of \$100,000 in construction related costs" is considered adequate documentation in this case.
3. Notwithstanding exceptions for practical difficulties, the City Zoning states: "The granting of the variance will be in harmony with the general spirit, intent and purpose of this Zoning Code."

I certify that the information contained in this application and its supplements is true and correct.

Date: Nov. 21, 2019 Signature: Monica A. Dondos

STATE OF OHIO

COUNTY OF GREENE

)
) SS:
)

Before me, a Notary Public, in and for said County and State, personally appeared the above named Monica Dondos + William Schrieman who acknowledged that he/she did sign the foregoing petition.

In Testimony Whereof, I have hereunto subscribed my name and affixed by seal this 21st day of November 2019.



TAYLOR PPOOL
Notary Public, State of Ohio
My Commission Expires 03-04-2024

[Signature]
NOTARY PUBLIC

BEAVERCREEK BOARD OF ZONING APPEALS
REGULAR MEETING, September 11, 2019, 6:00 PM

PRESENT: Mr. Archibald, Mr. Duerr, Mr. Hung

ABSENT: Mr. Bhatla

Chairman Hung called the meeting to order followed by roll call.

Mr. Archibald MOVED to excuse Mr. Bhatla from the meeting, seconded by Mr. Duerr. Motion PASSED by majority voice vote.

Mr. Duerr MOVED approval of the agenda, seconded by Mr. Archibald. Motion PASSED by majority voice vote.

Mr. Archibald MOVED approval of the June 12, 2019 minutes, seconded by Mr. Duerr. Motion PASSED by majority voice vote.

PUBLIC HEARING

CU-19-1, American Tower, 4040 Graham Drive

Clerk Gillaugh read the notice of public hearing on an application filed by Anthony Amine, 200 E. Big Beaver, Troy, MI 48083, requesting permission to construct a new wireless telecommunication tower and adjacent equipment building as required per Chapter 158.130 (B) of the City of Beavercreek Zoning Code in an A-1 District. This is a replacement of the wireless telecommunication facility that was destroyed in the Memorial Day tornado. The property is located at the western end of Graham Drive further described as Book 1, Page 6, Parcel 9 on the Greene County Property Tax Atlas.

Anthony Amine, representing American Tower, explained the existing tower was damaged due to the tornado that hit on Memorial Day. He said he is here tonight for permission to obtain approval to construct a like for like tower, which is a self-support 164-foot tower at the exact location. Mr. Amine explained the new ordinance requires it to be a monopole, and said with the location it makes the most sense to go back with the existing style tower since the residents are familiar with that style tower.

Mr. Burkett summarized the staff report dated September 6, 2019, which stated the applicant is requesting approval of the reconstruction of a 164-foot self-supporting wireless telecommunication tower. He discussed the location of the property, and explained the tower was there for over 20 years. Mr. Burkett explained the tower was destroyed in the tornado. He said since they are requesting to replace it with a self-supporting tower and not a monopole it requires a conditional use approval. Mr. Burkett reviewed the setbacks from the property lines and said the infrastructure is in place as it was before. Staff did not see an issue with the proposal, and recommended approval of the case with two conditions.

In public input, Randy Bryan, 2423 Rollingview Drive, stated the base of the tower is able to be seen now and if a person goes down La Bonne Drive there is a tower visible that was never visible before. He disagreed with the replacement because the trees are

BEAVERCREEK BOARD OF ZONING APPEALS, 9/11/19

all gone, and it would take years for the trees to grow back. Mr. Bryan did not feel like the tower does anything for the area, and thought the monopole would look better.

Bill Schieman, 3971 La Bonne Street, stated he was against granting the conditional use. He believed the monopole would be more aesthetically pleasing than what existed before. Mr. Schieman explained they see more of the tower now than they ever did before. He believed the Zoning Code was probably upgraded to specify monopole because they are aesthetically more pleasing. Mr. Schieman assumed because the applicant is asking for conditional use approval there was not an exclusion in the Zoning Code that grandfathered existing cell towers. He stated the only thing that could be reused is the base of the tower and probably the foundation and was sure that was a motivation of the cell tower company to want to replace like for like. Mr. Schieman stated the neighborhood in the area were devastated and they want a break. He said they want the cell tower, but they are requesting something that will be less negatively impacting.

Monica Donohoo, 3971 La Bonne Street, stated she is opposed to the conditional use. She stated she is in favor of monopole because of the aesthetics and that it could be painted green. Ms. Donohoo felt the change in the style of tower was made for a reason and that the City should be compliant with the new Zoning Code requirement.

In written input, Janet Gum, 2555 Grange Hall Road, stating she was in support of the conditional use.

Randy Bryan said on the letter that was sent out, it talked about replacing the tower and not what the Code is currently. He thought were she was coming from was the cell tower needed to be replaced because of the signal. Mr. Bryan stated the letter was not in-depth as far as what was going on.

Bill Schieman stated he did not know about the monopole until he came down into the Zoning Department to find out more information about it. He said for those of them who have made the decision to reconstruct and continue to live there they need the Board's support and to give them the best cell tower they can. Mr. Schieman believed other people would have been here if it had been clear what was at issue.

There being no further public input, the public hearing was closed.

Mr. Archibald asked if a conditional use would be required if the applicant were to construct a monopole at the site. Mr. Burkett stated no, a permit would have been issued. Mr. Archibald said they have heard residents from the area and asked if there was any substantial benefit to reconstructing a similar type tower that was there before instead of replacing it with a monopole. Mr. Amine explained the preference is to replace it like for like because there is an existing foundation for a self-support tower. He stated the area is a very limited area because of elevation changes, and explained the difference with the footing requirements. Mr. Archibald said they had heard from the residents that they would like a more aesthetically pleasing tower, and asked if there was anything that could be done other than installing a monopole tower. Mr. Amine stated no, and it was the engineering dynamics of taking out the old and putting up a new one.

Mr. Duerr thanked those that spoke, and said from what he could see there are two existing structures and asked if this would be a third. Mr. Amine said there are two temporary towers up right now. Mr. Duerr asked if they went through insurance for replacing any of trees, and understood it would not be perfect now but could block the view in the years to come. Mr. Amine explained he did not have the information for that and said if there were any landscaping requirements they would comply with those. Mr. Duerr stated the neighborhood is completely different from what it was, and Mr. Amine agreed it was very sad to see the devastation that occurred. Mr. Duerr questioned if there was a way the applicant and the citizens could come together such as adding a condition that trees be planted or to make the pole more aesthetically pleasing. Mr. Amine stated it was something that could be discussed, but also believed beauty is in the eye of the beholder because everyone has their own opinion.

Mr. Hung echoed a lot of the concerns of the residents, and was concerned because of the drastic change of the neighborhood. Mr. Hung asked if there was any technical reasons it would need to be a replacement tower as opposed to a new monopole. Mr. Amine said that in respect to the operation of the tower there is none, and stated it is purely an Engineering decision. He explained it would be more challenging to do a monopole but it was not impossible. Mr. Hung asked if they would install a monopole if it would have the same technical ability as the self-sustaining tower they intent to rebuild. Mr. Amine said yes. Mr. Hung asked if a monopole is a more advanced version of a self-supporting tower. Mr. Amine explained they are the same and can provide the wireless carriers the structures they need to operate appropriately. Mr. Hung questioned if the application was denied tonight if American Tower would build a monopole because that is what they are required to do or would they look for other tracts of land. Mr. Amine stated if they had to move the tower they would be required to put up a monopole. Mr. Hung questioned if it would take the same amount of time to reconstruct a new tower verses installing a monopole. Mr. Amine said it would take longer because it would be a completely new design.

Mr. Hung said he read the staff report, and questioned why the Board should grant the conditional use request. Mr. Burkett said from a technology standpoint he did not have an answer, but in the process of citizen's rebuilding their structures, the City has allowed some slight nonconformities and they are here to extent the same to this commercial business. Mr. Hung asked why the City hasn't looked at the tower as simply a non-conforming use of the property and asked why they were here today on a permit. Mr. Burkett explained he was erring on the side of caution and wanted the Board to hear the case rather than just okaying it departmentally. Mr. Hung asked if it was Mr. Burkett's opinion that the tower reconstruction would fall under a nonconforming use. Mr. Burkett explained the Code states that all new structures are to be created as a monopole so technically it would be nonconforming because it is not built as a monopole. Mr. Hung said there has been no change in use though. Mr. Burkett agreed the use is conforming the structure would not be because it is not a monopole.

Mr. Duerr asked if there was a place, the members in the audience could come together with the applicant and support the application. Mr. Bryan did not feel the trees would be sufficient. He stated the temporary towers have been in place for three months, and did not feel time was an issue. Mr. Duerr said they still have the opportunity to install a

BEAVERCREEK BOARD OF ZONING APPEALS, 9/11/19

monopole there. Mr. Bryan said it would look a lot better. Mr. Duerr explained now was the time for them to add conditions and he was giving the citizens an opportunity to speak. Mr. Bryan said he didn't know of any conditions that could be added and asked what could be done because it is a visual thing and it could not be hidden. He questioned why not have the best they could have there so it looks the best it could in the neighborhood.

Mr. Archibald thought they had an opportunity to get into Code compliance and replace the existing tower with a monopole tower.

Mr. Hung called for a motion to approve with the two conditions. No motion was made.

Mr. Archibald MOVED to deny CU-19-1. Motion was seconded by Mr. Duerr, and had a roll call vote of 2-1. (Hung)

Due to lack of having three members concur, the case was continued to the October meeting.

V-19-4, Michael Krouse, 4212 Golden Eagle Court

Clerk Gillaugh read the notice of public hearing on an application filed by Michael Krouse, 4212 Golden Eagle Court, Beavercreek, OH 45430, requesting a variance from Chapter 158.105(C) of the City of Beavercreek Zoning Code, requesting permission to construct a six-foot high fence that would encroach into the required front yard along Golden Eagle Court. The property is located at the northeast corner of the intersection of Golden Eagle Court and Willow Run Drive further described as Book 3, Page 4, Parcel 14 on the Greene County Auditor's Property Tax Atlas.

Michael Krouse, 4212 Golden Eagle Court, stated when he initially applied for his permit all of his paperwork said the closest his fence would be located from the curb was 35 feet. He explained that permit was originally approved, and when the inspection was done he had it marked at 33 feet. Mr. Krouse explained at that point he was notified there was an error on the permit and it was corrected. He stated all of his planning and purchasing was done with what was originally approved at the 35 feet from the curb. Mr. Krouse referred to the Code requirement, and believed the purpose was to protect against visual impedance of the stop sign. He showed several photos he had taken that showed there would be no visual impedance from either direction.

Ms. Pereira summarized the staff report dated September 6, 2019, which stated the applicant is requesting a variance to allow a 6-foot fence that would encroach into the required front yard by approximately seven feet. She discussed the zoning district and the setback requirements for the plat. Ms. Pereira explained the Code requirements for six-foot high fences, and showed a drawing where the Code allows a fence to be located and where the applicant is proposing the fence location. She stated in order to approve a variance the applicant has to show they cannot meet the requirements of the Code, and in this request, that is not the case. Ms. Pereira explained the applicant could set the fence seven feet further back and the fact that there was an error on the original permit is not justification for approval of the variance. Staff recommended denial of the application.

November 6, 2019

STAFF REPORT
CONDITIONAL USE
REQUEST CASE NO. CU 19-1

I. CONDITIONAL USE REQUESTED BY:

Anthony Amine
200 E. Big Beaver
Troy, Michigan 48083

II. NOVEMBER UPDATE

As the Board of Zoning Appeals may recall, this case was heard at the September regularly scheduled meeting. As motion to deny the applicant's request was moved and seconded. The vote was 2-1 on the motion. Since a majority (of the 5-person Board) was not achieved with the vote, it is considered a "no vote". The applicant is bringing the request again, this time with photo simulations (see attached) and a letter from the project manager, explaining the undue hardship brought on by the Memorial Day tornado. Specifically, their insurance will only cover the cost to rebuild the tower as it was, and the foundation work for a monopole would be substantially more in cost than using the existing foundation. See also a letter of explanation from the City's Attorney, attached to this Staff Report.

III. NATURE OF REQUEST:

The applicant is requesting conditional use approval to rebuild a 164-foot high wireless telecommunications self-supporting cell tower that was damaged during the Memorial Day tornado, as required per §158.130 (B) of the City of Beavercreek Zoning Code in an A-1 Zoning District.

Normally the replacement of an existing structure/use due to acts of nature would not require a re-approval of a conditional use, however, the existing structure is a self-supported style tower rather than a monopole. The Zoning Code states that all cell towers need to be constructed as a monopole unless otherwise approved by the Board of Zoning appeals for aesthetic or technical reasons (§158.130 (B) 5).

IV. EXISTING CONDITIONS:

Zoning

The parcel under discussion is the 25.5-acre parcel located at the western terminus of Graham Drive, and is over 1800 feet north of Kemp Road. The property is zoned A-1 Agricultural. A cell tower is permitted within this zoning district as a conditional use.

Surrounding Zoning

A-1 Agricultural zoning exists to the west and south. To the north and to the east is R-1A Single Family Residential

Existing Land Use

The property currently has a private residential structure (heavily damaged by the tornado), an accessory structure (also damaged), a damaged cell tower and related ground equipment. The cell tower base sits 150 feet from the southern property line, 300 feet to the eastern property line, 500 feet from the northern property line, and over 1000 feet to the western property line.

Surrounding Land Use

The parcels to the west and south are large lot residential. The properties to the north and east are single family residential neighborhoods.

Availability of Utilities



The site is currently served by DP&L. These sites typically do not need sanitary sewer, water or natural gas in order to operate.

Floodplain

No portion of the property under review is located within a federally regulated floodplain or floodway.

V. ANALYSIS:

Discussion of Proposed Request

As stated above, the applicant is requesting conditional use approval to rebuild a 164-foot high wireless telecommunications tower and utilize the existing ground equipment as required per §158.130 B of the City of Beavercreek Zoning Code in an A-1 Zoning District. Because they are proposing to reconstruct as a self-supporting tower, rather than a monopole, they need to get conditional use approval, rather than just being grandfathered in as an existing use. There has been a self-supporting cell tower at this location, and this height for at least 25 years without issue. They propose to rebuild the tower the same size, design and location as the previous tower.

VI. RECOMMENDATION:

Staff finds that this conditional use proposal is in line with criteria for approval as established per §158.172 (H)(6)(d) 2. Further, staff recommends that the Board of Zoning Appeals adopt the attached resolution approving this conditional use application.





**RESOLUTION
BOARD OF ZONING APPEALS
CASE NO. CU 19-1**

WHEREAS, OH Anthony Amine, Agent for ATC Towers Services, LLC has made application for conditional use approval for the construction of a wireless telecommunication tower and related ground equipment, to be located on 4040 Graham Drive, Beavercreek Ohio 45431.; and

WHEREAS, the applicant is requesting permission to rebuild a self-supporting wireless telecommunication tower and related ground that was destroyed by the 2019 Memorial Day Tornado; and

WHEREAS, public hearing was held on September 11, 2019 and November 13, 2019, at which time all persons were given opportunity to comment on the application; and

WHEREAS, the Board of Zoning Appeals finds that \$158,130 has been fully satisfied, as allowed by state and federal laws.

NOW therefore the Board of Zoning Appeals orders that:

1. The conditional use application to allow construction of a wireless telecommunication tower and related ground equipment on 4040 Graham Drive, Beavercreek Ohio 45431, is hereby approved.
2. Conditions of approval shall be as follows:
 - a. The approved plans for this application shall be those stamped "Received August 12, 2019, except as modified herein.
 - b. The height of the pole shall be limited to 164 feet from adjacent grade.
 - c. Prior to the installation of the tower and associated equipment, the applicant shall apply for and receive approval of a zoning permit from the Planning and Development Department.
 - d. Should the use of the facility be discontinued (meaning the structure is not properly maintained, has been abandoned, become obsolete, has been unused or has ceased daily activities or operation for a period of 12 months) the applicants or its successors shall be responsible for its removal.


ACTION BY BOARD OF ZONING APPEALS

(Date)

Chairman

MEMORANDUM

TO: RANDY BURKETT, CITY PLANNER

FROM: STEPHEN M. MCHUGH, LAW DIRECTOR 

DATE: NOVEMBER 8, 2019

RE: CONTINUATION OF A NON-CONFORMING USE ABSENT INTENTIONAL
ABANDONMENT

City of Beavercreek Ordinance §158.172(H)(4)(C) grants the Board of Zoning Appeals ("BZA") the authority to permit the reconstruction of a nonconforming structure that is greater than 60% destroyed due to an act of God or nature

City of Beavercreek Ordinance §158.172(H)(4)(C) governs BZA appeals. Subsection (H) in particular sets forth the powers and duties of the BZA. Subsection (H)(4)(c) provides that the Board shall have the power to grant exceptions to the zoning code in the following instance, one of which is specifically to "[p]ermit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than 60% of the structure is destroyed where the Board finds some compelling necessity requiring a continuance of the nonconforming use and the principle purpose of continuing the nonconforming use will not adversely affect the health, safety or morals of the surrounding area."

Pursuant to Ordinance §158.172(H)(4)(C) the Board shall have the power to grant exceptions to the zoning code, in this case the reconstruction of the self-support tower as opposed to a monopole pursuant to Ordinance §158.130(B)(5), due to the fact that more than 60% the pre-existing self-support tower was destroyed by an act of nature and through no fault of the Applicant. There is no evidence to suggest that the nonconforming use will adversely affect

the health, safety or morals of the surrounding area. As noted in the Staff Report and by the Applicant, a self-support tower of the same height as that proposed now was at the same location for over twenty-five years prior to the Memorial Day tornadoes without any issues. At the time the self-support tower was constructed, the self-support tower design was compliant with the zoning code.

Ordinance §158.130(B)(5) requires "all wireless telecommunication towers shall be designed and constructed as monopole structures unless otherwise allowed by the Board of Zoning Appeals for aesthetic or technical reasons." An exception should be granted to this zoning requirement pursuant to Ordinance §158.172(H)(4)(C). Ordinance §158.172(H)(4)(C) permits an exception to this zoning ordinance under precisely these circumstances.

Further consistent with Ordinance §158.172(H)(6)(d)2, the Board shall hear and decide applications for wireless telecommunications systems and pursuant to (d) after consideration of the nature and condition of all adjacent and surrounding uses and buildings a review of the conditional use application and any administrative reports, the Board shall, by resolution make the following findings in deciding on the conditional use application:

(d)2 The proposed conditional use will not have a substantial or material detrimental effect on surrounding properties and will not have a substantially negative impact on or substantially conflict with surrounding properties. Pursuant to the Duncan Standards, the construction of a like for like tower, which is identical to the same self-support tower that previously existed, will not have a substantial or material detrimental effect on surrounding properties, as this tower existed in the same fashion prior to the Memorial Day of 2019. The Applicant has indicated that from a financial standpoint, rebuilding as a monopole will add an estimated \$100,000 in construction related costs due to the challenges associated with not being

able to utilize the existing foundation. Additionally, constructing a new foundation to accommodate a monopole would require tree clearing and grading outside the existing compound due to the topography in the lease area. The substantial costs associated with constructing a new foundation, tree clearing and grading outside of the existing compound place an unnecessary burden on the Applicant.

CONCLUSION

I am in agreement with you that the Board can find for the Applicant pursuant to Ordinance §158.172(H)(4)(C) and grant the Applicant's request. Compelling reason exists pursuant to §158.172(H)(4)(C) to grant the Application for the construction of a like for like self-support tower, replicating the structure as it existed for over twenty-five years at the same height and location, as the pre-existing structure was more than 60% destroyed through no fault of the Applicant during the Memorial Day tornadoes.

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November 5, 2019

Zoning Board of Appeals
City of Beavercreek
City Hall
1368 Research Park Drive
Beavercreek, OH 45432

*RE: Beaver Creek Board of Zoning Appeals Public Hearing Case No. CU-19-1
Chapter 158.130 (B) Requesting Permission to construct a new wireless
telecommunications tower on 4040 Graham Drive*

To Whom it May Concern:

In response to the outcome of Hearing Case No. CU-19-1 held on September 11, 2019, American Tower Corporation has fully investigated the possibility to rebuild the fallen tower due to a tornado on or about May 29, 2019 as a monopole. For the forgoing reasons, American Tower Corporation has determined a rebuild as a monopole is infeasible:

- (A) From a constructability standpoint the existing foundation is a Pad and Pier type. If we must change to a monopole, we will need to expand the compound to allow for the new foundation and tower as we will no longer be able to utilize the existing self-support foundation as desired. A monopole would pose significant challenges as it would require tree clearing and grading outside the existing compound due to the topography of the lease area.
- (B) From a financial standpoint, rebuilding as a monopole is estimated to add a minimum of \$100,000 in construction related costs due to the challenges referenced in section (A) above.
- (C) American Tower's insurance policy will cover only up to the value of the asset that was lost, resulting in a substantial out of pocket expense for American Tower in order to build a monopole as the asset lost was a self-support. Rebuilding as a self-support is covered by American Tower's insurance policy.

In summary, American Tower respectfully requests that this Board grant the requested variance to rebuild a like-for-like replacement of the self-support tower that was lost due to the tornado.

Respectfully Yours,

Sarah Snell
American Tower Corporation
Real Estate Solutions Project Manager

RECEIVED

OCT 02 2019

CITY OF BEAVERCREEK
PLANNING DEPARTMENT

American Tower
Site Number: 205596
Site Name: Beavercreek
Lattice Tower

Photo Simulations
11/04/2019

RECEIVED

NOV 04 2019

CITY OF BEAVERCREEK
PLANNING DEPARTMENT



American Tower – #205596
Beavercreek – Lattice Tower
North View – Before

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APR 03 2019

CITY OF BEAVERCREEK
PLANNING DEPARTMENT

WESTCHESTER SERVICES L.L.C. ♦ 604 FOX GLEN ♦ BARRINGTON, ILLINOIS 60010
847/277-0070 Main ♦ 847/277-0080 Facsimile ♦ e-mail: ae@westchesterservices.com



American Tower – #205596
Beavercreek – Lattice Tower
North View – After

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American Tower
Site Number: 205596
Site Name: Beavercreek
Monopole

Photo Simulations
11/04/2019

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American Tower – #205596
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American Tower – #205596
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CITY OF BEAVERCREEK
PLANNING DEPARTMENT



SITE NAME: REBUILD BEAVERCREEK OH
 SITE NUMBER: 205596
 SITE ADDRESS: 4040 GRAHAM DR
 DAYTON, OH 45431



DROP AND SWAP CONSTRUCTION DRAWINGS

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX			
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.	<u>SITE ADDRESS:</u> 4040 GRAHAM DR DAYTON, OH 45431 COUNTY: GREENE	THIS PROJECT ENTAILS THE CONSTRUCTION OF A NEW 164' TOWER AND THE REMOVAL OF THE EXISTING TOWER	SHEET NO:	DESCRIPTION:	REV:	DATE:
1. INTERNATIONAL BUILDING CODE (IBC) 2. NATIONAL ELECTRIC CODE (NEC) 3. LOCAL BUILDING CODE 4. CITY/COUNTY ORDINANCES 5. FEDERAL COMMUNICATIONS COMMISSION (FCC) 6. FEDERAL AVIATION ADMINISTRATION (FAA)	<u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 39° 45' 45.73" N LONGITUDE: 84° 04' 54.80" W GROUND ELEVATION: 952' AMSL	PROJECT NOTES	G-001	TITLE SHEET	0	07/16/19
	<u>ZONING INFORMATION:</u> JURISDICTION: GREENE COUNTY PARCEL NUMBER: B42-0001-0006-0-0009-00	1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. FACILITY WILL MEET OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 5. HANDICAP ACCESS IS NOT REQUIRED. 6. THE FACILITY WILL NOT GENERATE NOISE IN EXCESS OF 50db AT THE PROPERTY LINES.	G-002	GENERAL NOTES	0	07/16/19
	PROJECT TEAM <u>TOWER OWNER:</u> AMERICAN TOWER ASSET SUB II, LLC 10 PRESIDENTIAL WAY WOBURN, MA 01801 <u>PROPERTY OWNER:</u> MARIANNE JOYCE BACHMAN 4040 GRAHAM DRIVE BEAVERCREEK, OH 45431 <u>ENGINEER:</u> ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518	PROJECT LOCATION DIRECTIONS TAKE 875 S TO EXIT 16. TURN LEFT TO GRANGE HALL RD.(SOUTH) GO TO GRAHAM DR. AND TURN RIGHT. FOLLOW GRAHAM DR. TO THE END, THERE WILL BE A DRIVEWAY TO A HOUSE, FOLLOW IT BACK TO THE SITE.	V-101	AS-BUILT SURVEY		
SURVEY INFORMATION 1. TOPOGRAPHY AND BOUNDARY INFORMATION WAS OBTAINED FROM SURVEY PLAN DATED 09/15/18 BY LANDTECH PROFESSIONAL SURVEYING & ENGINEERING.			C-101	OVERALL SITE PLAN	0	07/16/19
UTILITY COMPANIES POWER COMPANY: DAYTON POWER AND LIGHT PHONE: (937) 331-3900 TELEPHONE COMPANY: AMERITECH PHONE: (800) 877-7748			C-401	COMPOUND PLAN	0	07/16/19
			C-402	TOWER ELEVATION	0	07/16/19
			C-501	SIGNAGE	0	07/16/19
			E-401	GROUNDING LAYOUT	0	07/16/19
			E-501	ELECTRICAL DETAILS	0	07/16/19

AMERICAN TOWER®
 ATC TOWER SERVICES, LLC
 3500 REGENCY PARKWAY
 SUITE 100
 CARY, NC 27518
 PHONE: (919) 468-0112
 COA: Firm.02041

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIC PROJECT IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTORS MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR EDITIONS OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	NW	07/16/19
2			
3			
4			
5			

ATC SITE NUMBER:
205596
 ATC SITE NAME:
REBUILD BEAVERCREEK
OH
 SITE ADDRESS:
4040 GRAHAM DR
DAYTON, OH 45431

SEAL:

STATE OF OHIO
 KYLER FAUST
 74483
 REGISTERED PROFESSIONAL ENGINEER

Authorized by "EOR"
 Jul 18 2019 5:36 PM cosign

DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/16/19
ATC JOB NO:	12870921
ATC LEGACY #:	307018

TITLE SHEET

SHEET NUMBER:	REVISION:
G-001	0

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 CITY OF BEAVERCREEK
 PLANNING DEPARTMENT



Know what's below.
Call before you dig.

GENERAL CONSTRUCTION NOTES:

1. ALL WORK SHALL CONFORM TO ALL CURRENT APPLICABLE FEDERAL, STATE, AND LOCAL CODES, INCLUDING ANSI/ASTM-222, AND COMPLY WITH ATC CONSTRUCTION SPECIFICATIONS FOR WIRELESS TOWER SITES.
2. CONTRACTOR SHALL CONTACT LOCAL 811 FOR IDENTIFICATION OF UNDERGROUND UTILITIES PRIOR TO START OF CONSTRUCTION.
3. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL REQUIRED INSPECTIONS.
4. ALL DIMENSIONS TO, OF, AND ON EXISTING BUILDINGS, DRAINAGE STRUCTURES, AND SITE IMPROVEMENTS SHALL BE VERIFIED IN FIELD BY CONTRACTOR WITH ALL DISCREPANCIES REPORTED TO THE ENGINEER.
5. DO NOT CHANGE SIZE OR SPACING OF STRUCTURAL ELEMENTS.
6. DETAILS SHOWN ARE TYPICAL; SIMILAR DETAILS APPLY TO SIMILAR CONDITIONS UNLESS OTHERWISE NOTED.
7. THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY WHICH IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
8. CONTRACTOR SHALL BRACE STRUCTURES UNTIL ALL STRUCTURAL ELEMENTS NEEDED FOR STABILITY ARE INSTALLED. THESE ELEMENTS ARE AS FOLLOWS: LATERAL BRACING, ANCHOR BOLTS, ETC.
9. CONTRACTOR SHALL DETERMINE EXACT LOCATION OF EXISTING UTILITIES, GROUNDS DRAINS, DRAIN PIPES, VENTS, ETC., BEFORE COMMENCING WORK.
10. INCORRECTLY FABRICATED, DAMAGED, OR OTHERWISE MISFITTING OR NONCONFORMING MATERIALS OR CONDITIONS SHALL BE REPORTED TO THE ATC CM PRIOR TO REMEDIAL OR CORRECTIVE ACTION. ANY SUCH REMEDIAL ACTION SHALL REQUIRE WRITTEN APPROVAL BY THE ATC CM PRIOR TO PROCEEDING.
11. EACH CONTRACTOR SHALL COOPERATE WITH THE ATC CM, AND COORDINATE HIS WORK WITH THE WORK OF OTHERS.
12. CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED BY CONSTRUCTION OF THIS PROJECT TO MATCH EXISTING PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE ATC CONSTRUCTION MANAGER.
13. ALL CABLE/CONDUIT ENTRY/EXIT PORTS SHALL BE WEATHERPROOFED DURING INSTALLATION USING A SILICONE SEALANT.
14. WHERE EXISTING CONDITIONS DO NOT MATCH THOSE SHOWN IN THIS PLAN SET, CONTRACTOR WILL NOTIFY THE ATC CONSTRUCTION MANAGER IMMEDIATELY.
15. CONTRACTOR SHALL ENSURE ALL SUBCONTRACTORS ARE PROVIDED WITH A COMPLETE AND CURRENT SET OF DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT.
16. ALL ROOF WORK SHALL BE DONE BY A QUALIFIED AND EXPERIENCED ROOFING CONTRACTOR IN COORDINATION WITH ANY CONTRACTOR WARRANTING THE ROOF TO ENSURE THAT THE WARRANTY IS MAINTAINED.
17. CONTRACTOR SHALL REMOVE ALL RUBBISH AND DEBRIS FROM THE SITE AT THE END OF EACH DAY.
18. CONTRACTOR SHALL COORDINATE WORK SCHEDULE WITH LANDLORD AND TAKE PRECAUTIONS TO MINIMIZE IMPACT AND DISRUPTION OF OTHER OCCUPANTS OF THE FACILITY.
19. CONTRACTOR SHALL FURNISH ATC WITH THREE AS-BUILT SETS OF DRAWINGS UPON COMPLETION OF WORK.
20. PRIOR TO SUBMISSION OF BID, CONTRACTOR SHALL COORDINATE WITH ATC CM TO DETERMINE WHAT, IF ANY, ITEMS WILL BE PROVIDED. ALL ITEMS NOT PROVIDED SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR. CONTRACTOR WILL INSTALL ALL ITEMS PROVIDED.
21. PRIOR TO SUBMISSION OF BID, CONTRACTOR WILL COORDINATE WITH ATC CONSTRUCTION MANAGER TO DETERMINE IF ANY PERMITS WILL BE OBTAINED BY ATC. ALL REQUIRED PERMITS NOT OBTAINED BY ATC MUST BE OBTAINED, AND PAID FOR, BY THE CONTRACTOR.
22. CONTRACTOR SHALL SUBMIT ALL SHOP DRAWINGS TO ATC FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.
23. ALL EQUIPMENT SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS AND LOCATED ACCORDING TO ATC SPECIFICATIONS, AND AS SHOWN IN THESE PLANS.
24. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
25. CONTRACTOR SHALL NOTIFY ATC CM A MINIMUM OF 48 HOURS IN ADVANCE OF POURING CONCRETE OR BACKFILLING ANY UNDERGROUND UTILITIES, FOUNDATIONS OR SEALING ANY WALL, FLOOR OR ROOF PENETRATIONS FOR ENGINEERING REVIEW AND APPROVAL.

EROSION AND SEDIMENTATION CONTROL PLAN NOTES:

THIS PLAN HAS BEEN DEVELOPED TO PROVIDE A STRATEGY FOR CONTROLLING SOIL EROSION AND SEDIMENTATION DURING AND AFTER CONSTRUCTION OF THE PROPOSED FACILITY. THE EQUIPMENT ANTICIPATED TO BE USED FOR THE CONSTRUCTION INCLUDES THE FOLLOWING: BACKHOES, BULLDOZERS, LOADERS, TRUCKS, CRANES, COMPACTORS, AND GRADERS. THE FOLLOWING MEASURES WILL BE UNDERTAKEN TO PROVIDE MAXIMUM PROTECTION TO THE SOIL, WATER, AND ADJUTING LANDS:

1. ALL EARTH DISTURBANCE ACTIVITIES SHALL PROCEED IN ACCORDANCE WITH THE SEQUENCE PROVIDED ON THE PLAN DRAWINGS. DEVIATION FROM THAT SEQUENCE MUST BE APPROVED IN WRITING FROM AMERICAN TOWER PRIOR TO IMPLEMENTATION.
2. THE LIMITS OF DISTURBANCE (LOD) SHOULD BE MARKED PRIOR TO DISTURBANCE ACTIVITIES (I.E. SURVEY STAKES, POSTS & ROPE, CONSTRUCTION FENCE, ETC.).
3. A COPY OF THE SEDIMENT AND EROSION CONTROL PLAN MUST BE AVAILABLE AT THE PROJECT SITE DURING CONSTRUCTION UNTIL THE SITE IS STABILIZED. (AS APPLICABLE)
4. PRIOR TO GRUBBING OR ANY EARTHMOVING OPERATION, SILTATION FENCE WILL BE INSTALLED ACROSS THE SLOPE ON THE OUTLINE AT THE DOWNHILL LIMIT OF THE WORK AS PROTECTION AGAINST CONSTRUCTION RELATED EROSION. (CONSULT ATC CM AS REQUIRED)
5. STONE CHECK DAMS WILL BE INSTALLED IN THE DRAINAGE DITCHES TO PREVENT EROSION PRIOR TO THE STABILIZATION OF THE CHANNELS. EROSION CONTROL BLANKETS WILL ALSO BE INSTALLED IN ALL DITCHES TO BE REVEGETATED.
6. PERMANENT SOIL EROSION CONTROL MEASURES FOR ALL SLOPES, CHANNELS, DITCHES, OR ANY UNDISTURBED LAND AREA WILL BE COMPLETED WITHIN FIFTEEN CALENDAR DAYS AFTER FINAL GRADING HAS BEEN COMPLETED. WHEN IT IS NOT POSSIBLE OR PRACTICAL TO PERMANENTLY STABILIZE DISTURBED LAND, TEMPORARY EROSION CONTROL MEASURES WILL BE IMPLEMENTED WITHIN THIRTY CALENDAR DAYS OF EXPOSURE OF SOIL. ALL DISTURBED AREAS WILL BE MULCHED FOR EROSION CONTROL UPON COMPLETION OF ROUGH GRADING. CUT SLOPES IN COMPETENT BEDROCK AND ROCK FILLS NEED NOT BE VEGETATED.
7. ANY EXPOSED SLOPES GREATER THAN 2:1 AND NEWLY CONSTRUCTED DRAINAGE DITCHES WILL

- BE STABILIZED WITH EROSION CONTROL BLANKET TO PREVENT EROSION DURING CONSTRUCTION AND TO FACILITATE REVEGETATION AFTER LOAMING AND SEEDING.
- TO PROVIDE PROTECTION AGAINST EROSION, RIPRAP WILL BE PLACED AT ALL CULVERT INLETS AND OUTLETS AS SHOWN ON THE ATTACHED DRAWINGS.
- IN AREAS OF CONSTRUCTION DEWATERING, ISOLATED SETTLEMENT TRAPS WILL BE CONSTRUCTED ADJACENT TO THE ACTIVITY. WATER WILL BE PUMPED FROM THE EXCAVATIONS TO THESE DEPRESSION AREAS FOR SEDIMENT REMOVAL. ADDITIONAL SEDIMENTATION PROTECTION WILL BE PROVIDED BY THE INSTALLATION OF HAYBALE BARRIERS BETWEEN THE BASINS AND THE RECEIVING DRAINAGE COURSE.
- NATIVE TOPSOIL SHALL BE SAVED, STOCKPILED, MULCHED, AND REUSED AS MUCH AS POSSIBLE ON THE SITE. SILTATION FENCE SHALL BE INSTALLED AT THE BASE OF STOCKPILES AT THE DOWNHILL LIMIT TO PROTECT AGAINST EROSION. STOCKPILES WILL BE STABILIZED BY SEEDING AND MULCHING UPON FORMATION OF THE PILES. UPHILL OF THE STOCKPILES, STABILIZED DITCHES AND/OR BERMS WILL BE CONSTRUCTED TO DIVERT STORMWATER RUNOFF AWAY FROM THE PILES.
- FINAL SEEDING WILL BE APPLIED IN ACCORDANCE WITH THE AMERICAN TOWER CORPORATION CONSTRUCTION SPECIFICATION.
- SHOULD CONSTRUCTION OCCUR AFTER NOVEMBER 15, ADDITIONAL EROSION CONTROL METHODS WILL BE IMPLEMENTED. ALL DISTURBED AREAS WILL BE MINIMIZED AS MUCH AS POSSIBLE. PRIOR TO FREEZING, ADDITIONAL EROSION CONTROL DEVICES WILL BE INSTALLED AS APPROPRIATE INSPECTION OF THESE EROSION CONTROL ITEMS WILL BE CONSTANT, WITH PARTICULAR ATTENTION PAID TO WEATHER PREDICTIONS TO ENSURE THAT THESE MEASURES ARE PROPERLY IN PLACE TO HANDLE LARGE AMOUNTS OF RUNOFF FROM HEAVY RAINS OR THAWS.
- FOR AN EARTH DISTURBANCE ACTIVITY OR ANY STAGE OR PHASE OF AN ACTIVITY TO BE CONSIDERED PERMANENTLY STABILIZED, THE DISTURBED AREAS SHALL BE COVERED BY A MINIMUM UNIFORM 70% PERENNIAL VEGETATIVE COVER OR OTHER PERMANENT NONVEGETATIVE COVER WITH A DENSITY SUFFICIENT TO RESIST ACCELERATED EROSION AND SUBSURFACE CHARACTERISTICS SUFFICIENT TO RESIST SLIDING AND OTHER MOVEMENTS.
- THE CONTRACTOR WILL REGULARLY INSPECT THE PROJECT'S EROSION AND SEDIMENTATION CONTROLS DURING THE ENTIRE ACTIVE CONSTRUCTION STAGES. THE INSPECTIONS WILL BE PERFORMED WEEKLY AND AFTER ALL RUNOFF EVENTS. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE INSTALLATION, OPERATION, MAINTENANCE, AND REMOVAL OF ALL EROSION AND SEDIMENTATION CONTROLS. ALL PREVENTATIVE AND REMEDIAL MAINTENANCE WORK, INCLUDING CLEAN OUT REPAIR, REPLACEMENT, REGRADING, RESEEDING, REMULCHING, AND RENETTING MUST BE PERFORMED IMMEDIATELY. SEDIMENT THAT HAS BEEN TRAPPED BY THE SILT BARRIER WILL BE REMOVED AS REQUIRED, AND IN ALL CASES, BEFORE THE ACCUMULATION HAS REACHED HALF THE HEIGHT OF THE FENCE. THE SILT BARRIER WILL BE RE-ANCHORED, REPAIRED, OR REPLACED AS NECESSARY. ALL OTHER CONTROLS WILL BE INSPECTED ON THE SAME SCHEDULE. IF EROSION AND SEDIMENT CONTROL BMP'S FAIL TO PERFORM AS EXPECTED, REPLACEMENT BMP'S, OR MODIFICATION OF THOSE INSTALLED WILL BE REQUIRED.
- ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.
- ALL EARTHEN FILLS SHALL BE PLACED IN COMPACTED LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS.
- FILL MATERIALS SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.
- SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE AMERICAN TOWER CORPORATION CONSTRUCTION SPECIFICATION AND/OR THE CONTRACTOR SHALL NOTIFY THE ATC CONSTRUCTION MANAGER.
- SEDIMENT TRACKED ONTO ANY PUBLIC ROADWAY OR SIDEWALK SHALL BE RETURNED TO THE CONSTRUCTION SITE BY THE END OF EACH WORK DAY AND DISPOSED IN THE MANNER DESCRIBED IN THIS PLAN. IN NO CASE SHALL THE SEDIMENT BE WASHED, SHOVELED, OR SWEEPED INTO ANY ROADSIDE DITCH, STORM SEWER, OR SURFACE WATER.

CONSTRUCTION SEQUENCE:

1. REMOVE EXISTING FENCE AS NECESSARY FOR CONSTRUCTION.
2. REMOVE DAMAGED TOWER FROM SITE AND DISPOSE OF APPROPRIATELY.
3. CONSTRUCT PROPOSED TOWER PER TOWER MANUFACTURER'S SPECIFICATIONS ON EXISTING TOWER FOUNDATION.
4. RE-INSTALL ANY REQUIRED ICE BRIDGES PER ATC CONSTRUCTION SPECIFICATIONS.
5. RE-INSTALL FENCE ONCE CONSTRUCTION IS COMPLETED TO MATCH ORIGINAL CONDITIONS.
6. IF CONSTRUCTION IS TERMINATED OR SUSPENDED PRIOR TO CONSTRUCTION COMPLETION, ALL EXPOSED SOIL AREAS SHALL BE SEED WITH TEMPORARY SEEDINGS AND MULCHED IMMEDIATELY.

CONCRETE AND REINFORCING STEEL NOTES:

1. DESIGN AND CONSTRUCTION OF ALL CONCRETE ELEMENTS SHALL CONFORM TO THE LATEST EDITIONS OF ALL APPLICABLE CODES INCLUDING: ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS", AND ACI 318 "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE".
2. MIX DESIGN SHALL BE APPROVED BY OWNER'S REPRESENTATIVE AND SUBMITTED TO ENGINEER PRIOR TO PLACING CONCRETE.
3. CONCRETE SHALL BE NORMAL WEIGHT, 8 % AIR ENTRAINED (+/- 1.5%) WITH A MAXIMUM 4" SLUMP AND HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI UNLESS OTHERWISE NOTED.
4. THE FOLLOWING MATERIALS SHALL BE USED:
PORTLAND CEMENT: ASTM C-150, TYPE 1 OR 2
REINFORCEMENT: ASTM A-185, PLAIN STEEL WELDED WIRE FABRIC
REINFORCEMENT BARS: ASTM A615, GRADE 60, DEFORMED
NORMAL WEIGHT AGGREGATE: ASTM C-33
WATER: DRINKABLE
ADMIXTURES: NON-CHLORIDE CONTAINING
5. MINIMUM CONCRETE COVER FOR REINFORCING STEEL SHALL BE AS FOLLOWS (UNLESS OTHERWISE NOTED):
A. CONCRETE CAST AGAINST EARTH: 3"
B. ALL OTHER CONCRETE: 2"
6. A 3/4" CHAMFER SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE IN ACCORDANCE WITH ACI 301 SECTION 4.2.4, UNLESS NOTED OTHERWISE.
7. INSTALLATION OF CONCRETE EXPANSION/WEAR ANCHOR SHALL BE PER MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOLT, DOWEL, OR ROD SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. NO REBAR SHALL BE CUT WITHOUT PRIOR ATC CM APPROVAL WHEN DRILLING HOLES IN CONCRETE.
8. ADMIXTURES SHALL CONFORM TO THE APPROPRIATE ASTM STANDARD AS REFERENCED IN ACI 301.
9. DO NOT WELD OR TACK WELD REINFORCING STEEL.
10. ALL DOWELS, ANCHOR BOLTS, EMBEDDED STEEL, ELECTRICAL CONDUITS, PIPE SLEEVES, GROUNDS AND ALL OTHER EMBEDDED ITEMS AND FORMED DETAILS SHALL BE IN PLACE BEFORE START OF CONCRETE PLACEMENT.
11. REINFORCEMENT SHALL BE COLD BENT WHENEVER BENDING IS REQUIRED.
12. DO NOT PLACE CONCRETE IN WATER, ICE, OR ON FROZEN GROUND.
13. DO NOT ALLOW REINFORCEMENT, CONCRETE OR SUBGRADE TO FREEZE DURING CONCRETE CURING AND SETTING PERIOD, OR FOR A MINIMUM OF 3 DAYS AFTER PLACEMENT.
14. FOR COLD-WEATHER AND HOT-WEATHER CONCRETE PLACEMENT, CONFORM TO APPLICABLE ACI CODES AND RECOMMENDATIONS. IN EITHER CASE, MATERIALS CONTAINING CHLORIDE, CALCIUM, SALTS, ETC. SHALL NOT BE USED. PROTECT FRESH CONCRETE FROM WEATHER FOR 7 DAYS. MINIMUM.
15. CONCRETE SHALL BE RUBBED TO A ROUGH GROUT FINISH. PADS SHALL BE SEALED BY STEEL TROWEL.
UNLESS OTHERWISE NOTED:
A. ALL REINFORCING STEEL SHALL BE DEFORMED BARS CONFORMING TO ASTM A615, GRADE 60.
B. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185.
16. SPLICING OF REINFORCEMENT IS PERMITTED ONLY AT LOCATIONS SHOWN IN THE CONTRACT DRAWINGS OR AS ACCEPTED BY THE ENGINEER. UNLESS OTHERWISE SHOWN OR NOTED REINFORCING STEEL SHALL BE SPLICED TO DEVELOP ITS FULL TENSILE CAPACITY (CLASS A) IN ACCORDANCE WITH ACI 318.
17. REINFORCING BAR DEVELOPMENT LENGTHS, AS COMPUTED IN ACCORDANCE WITH ACI 318, FORM THE BASIS FOR BAR EMBEDMENT LENGTHS AND BAR SPLICED LENGTHS SHOWN IN THE DRAWINGS. APPLY APPROPRIATE MODIFICATION FACTORS FOR TOP STEEL, BAR SPACING, COVER AND THE LIKE.
18. DETAILING OF REINFORCING STEEL SHALL CONFORM TO "ACI MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES" (ACI 315).
19. ALL SLAB CONSTRUCTION SHALL BE CAST MONOLITHICALLY WITHOUT HORIZONTAL CONSTRUCTION JOINTS, UNLESS SHOWN IN THE CONTRACT DRAWINGS.
20. LOCATION OF ALL CONSTRUCTION JOINTS ARE SUBJECT TO THE REQUIREMENTS OF THE CONTRACT DOCUMENTS, CONFORMANCE WITH ACI 318, AND ACCEPTANCE OF THE ENGINEER. DRAWINGS SHOWING LOCATION OF DETAILS OF THE PROPOSED CONSTRUCTION JOINTS SHALL BE SUBMITTED WITH REINFORCING STEEL PLACEMENT DRAWINGS.
21. SPLICES OF WWF, AT ALL SPLICED EDGES, SHALL BE SUCH THAT THE OVERLAP MEASURED BETWEEN OUTERMOST CROSS WIRES OF EACH FABRIC SHEET IS NOT LESS THAN THE SPACING OF THE CROSS WIRE PLUS 2 INCHES, NOR LESS THAN 12".
22. BAR SUPPORTS SHALL BE ALL-GALVANIZED METAL WITH PLASTIC TIPS.
23. ALL REINFORCEMENT SHALL BE SECURELY TIED IN PLACE TO PREVENT DISPLACEMENT BY CONSTRUCTION TRAFFIC OR CONCRETE. THE WIRE SHALL BE 16 GAUGE CONFORMING TO ASTM A82
24. SLAB ON GROUND
A. COMPACT STRUCTURAL FILL TO 95% DENSITY AND THEN PLACE 6" GRAVEL BENEATH SLAB.
B. PROVIDE VAPOR BARRIER BENEATH SLAB ON GROUND.

GENERAL FOUNDATION NOTES:

(APPLICABLE FOR EQUIPMENT SHELTER ONLY)

1. THOROUGHLY COMPACT BOTTOM OF EXCAVATIONS PRIOR TO PLACING RIGID INSULATION BARRIER, BACKFILL, AND COMPACTION PROCEDURES SHALL BE DONE PER INDUSTRY STANDARDS.
2. ALL REINFORCING STEEL SHALL BE ASTM A615 - GRADE 60. SECURE REINFORCING IN PLACE TO PREVENT MOVEMENT DURING CONCRETE PLACEMENT.
3. VERIFY DETAILS AND DIMENSIONS WITH SHELTER DRAWINGS. NOTIFY ATC CM OF ANY DISCREPANCIES.
4. INSULATION BARRIER PROVIDED IS FOR FROST PROTECTION IN LIEU OF STANDARD FOUNDATIONS WITH BEARING AT CODE REQUIRED FROST DEPTH.
5. SHELTER MUST BE ANCHORED TO ITS FOUNDATION. ANCHOR IN ACCORDANCE WITH SHELTER MANUFACTURER SPECIFICATIONS.



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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	NW	07/18/19
2			
3			
4			
5			

ATC SITE NUMBER:
205596
ATC SITE NAME:
REBUILD BEAVERCREEK OH
SITE ADDRESS:
4040 GRAHAM DR
DAYTON, OH 45431



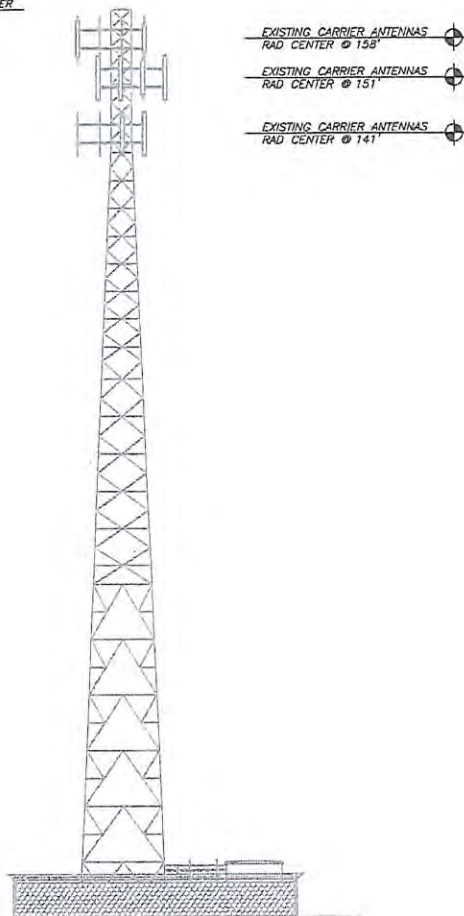
Authorized by "EOR"
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cosigr

DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	6/7/2019
ATC JOB NO:	12070921
ATC LEGACY #:	307618

GENERAL NOTES

SHEET NUMBER:	REVISION:
G-002	0

TOP OF EXISTING TOWER
ELEV. 1114' AMSL
ELEV. 164' A.G.L.



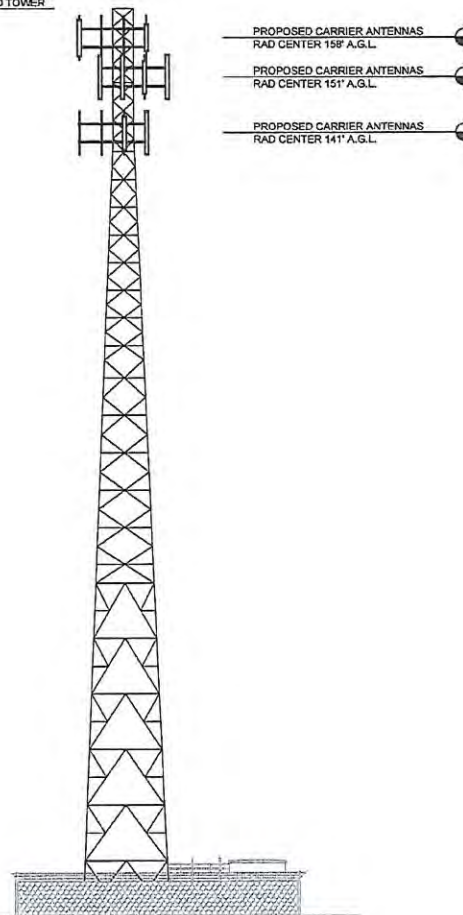
EXISTING GRADE
ELEV. 950' AMSL
ELEV. 0' A.G.L.

1 EXISTING TOWER ELEVATION
SCALE: NOT TO SCALE

TOWER NOTE:

1. NO LIGHTING IS REQUIRED BY FAA.

TOP OF PROPOSED TOWER
ELEV. 1114' AMSL
ELEV. 164' A.G.L.



PROPOSED GRADE
ELEV. 950' AMSL
ELEV. 0' A.G.L.

2 PROPOSED TOWER ELEVATION
SCALE: NOT TO SCALE

AMERICAN TOWER*
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112
COA: Firm.02041

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REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	NW	07/15/19
1			
2			
3			
4			

ATC SITE NUMBER:

205596

ATC SITE NAME:

REBUILD BEAVERCREEK
OH

SITE ADDRESS:

4040 GRAHAM DR
DAYTON, OH 45431

SEAL:



Authorized by "EOR"
Jul 18 2019 5:36 PM

cosig

DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/16/19
ATC JOB NO:	12970921
ATC LEGACY #:	307018

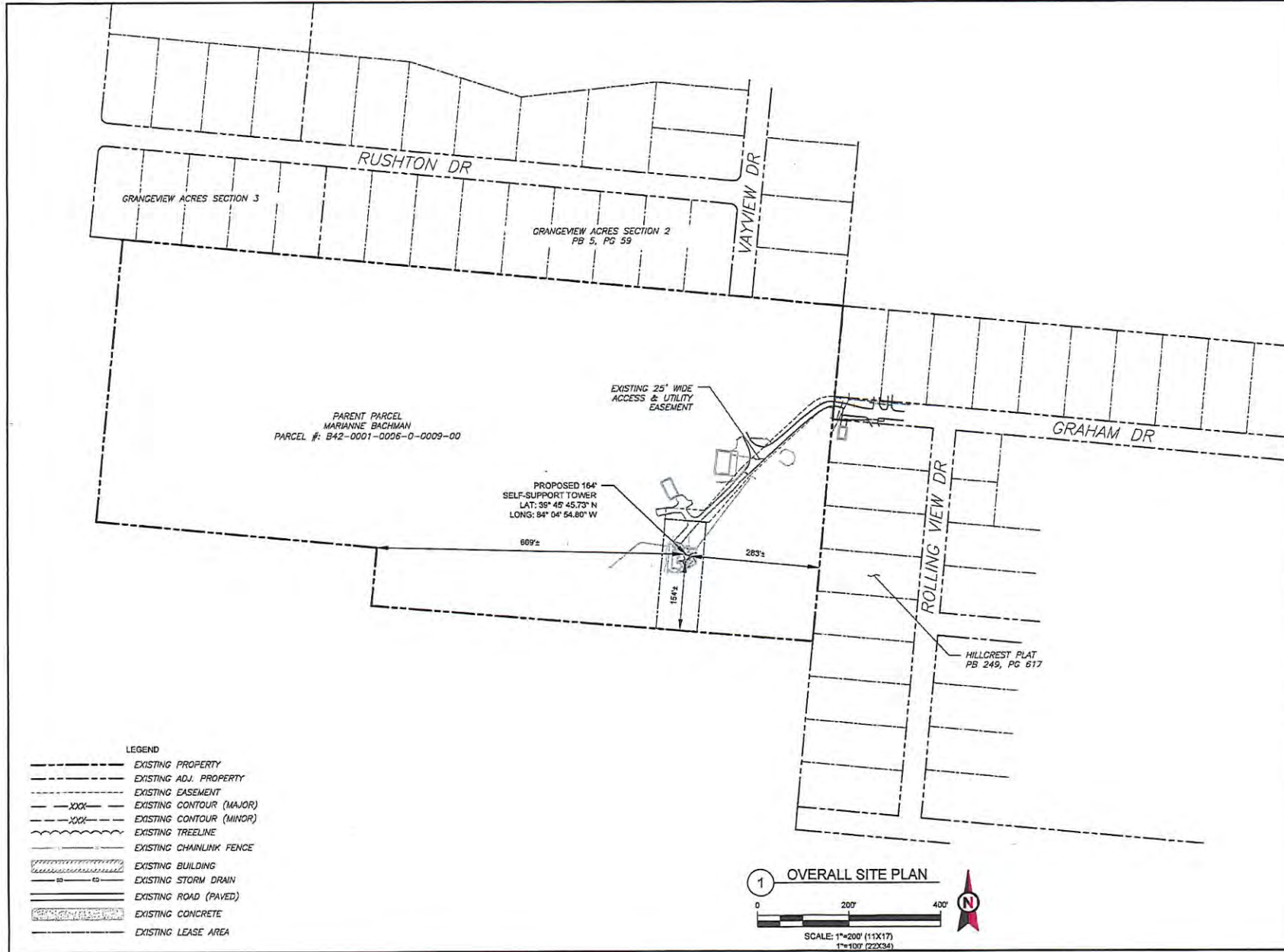
TOWER ELEVATION

SHEET NUMBER:

C-402

REVISION:

0



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 ATC TOWER SERVICES, LLC
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 SUITE 100
 CARY, NC 27518
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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	NW	07/16/19
2			
3			
4			
5			

ATC SITE NUMBER:

205596

ATC SITE NAME:

REBUILD BEAVERCREEK
OH

SITE ADDRESS:

4040 GRAHAM DR
DAYTON, OH 45431

SEAL:



Authorized by "EOR"

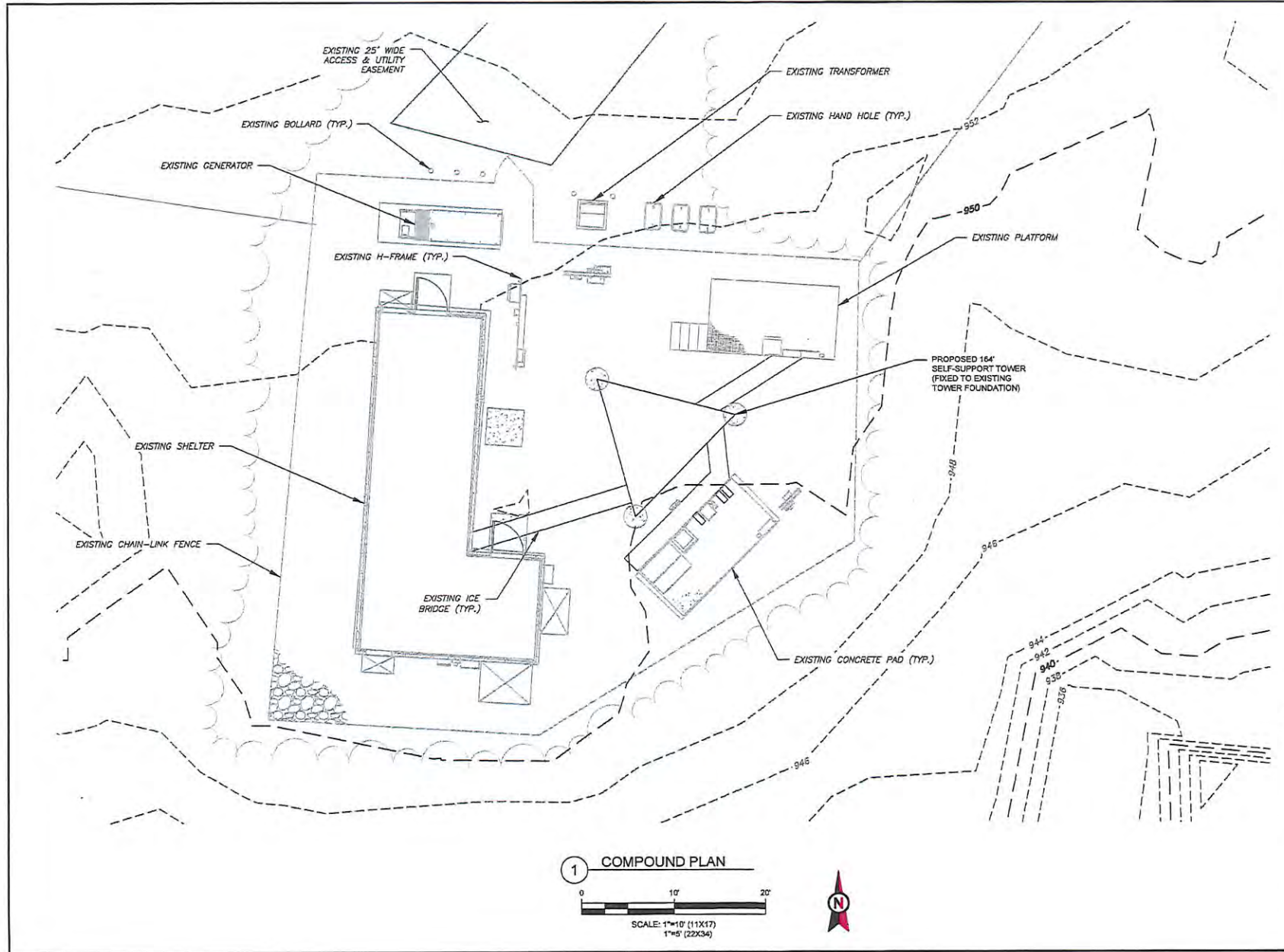
Jul 18 2019 5:36 PM **cosign**

DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/16/19
ATC JOB NO:	12970921
ATC LEGACY #:	307018

OVERALL SITE PLAN

SHEET NUMBER:
C-101

REVISION:
0



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REV.	DESCRIPTION	BY	DATE
△	FOR CONSTRUCTION	NW	07/18/19
△			
△			
△			

ATC SITE NUMBER:

205596

ATC SITE NAME:

REBUILD BEAVERCREEK
OH

SITE ADDRESS:
4040 GRAHAM DR
DAYTON, OH 45431

SEAL:



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DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/18/19
ATC JOB NO:	12970921
ATC LEGACY #:	307018

COMPOUND PLAN

SHEET NUMBER:	REVISION:
C-401	0

CAUTION



Beyond this point:
Radio frequency fields at this site
may exceed FCC rules for human
exposure.

For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(h)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN

WARNING



Beyond this point:
Radio frequency fields at this site
may exceed FCC rules for human
exposure.

For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(h)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

Posting of sign required by law

ATC STAND-ALONE FCC TOWER
REGISTRATION SIGN

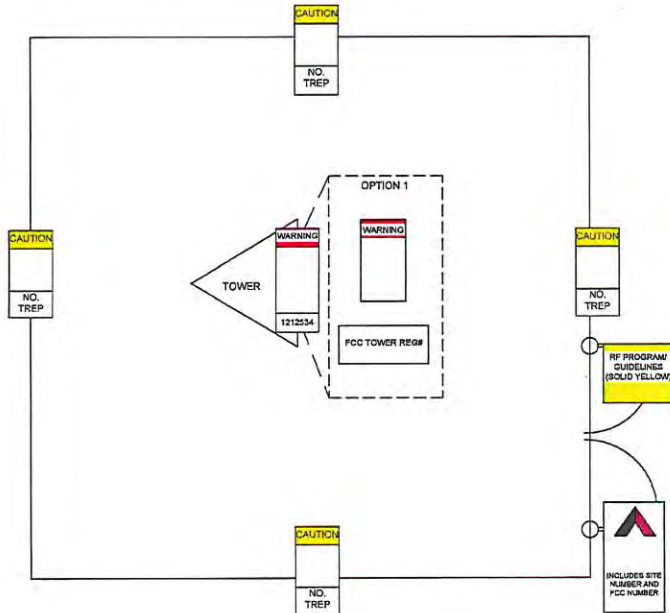
NOTICE

GUIDELINES FOR WORKING IN
RADIOFREQUENCY ENVIRONMENTS

- ⚠ All personnel should have electromagnetic energy (EME) awareness training.
- ⚠ All personnel entering this site must be authorized.
- ⚠ Obey all posted signs.
- ⚠ Assume all antennas are active.
- ⚠ Before working on antennas, notify owners and disable appropriate transmitters.
- ⚠ Maintain minimum 3 feet clearance from all antennas.
- ⚠ Do not stop in front of antennas.
- ⚠ Use personal RF monitors while working near antennas.
- ⚠ Never operate transmitters without shields during normal operation.
- ⚠ Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAIN PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.

18"



SITE NAME : REBUILD BEAVERCREEK
SITE NUMBER : 205596
FCC REGISTRATION # :

FOR LEASING INFORMATION: 877-282-7483
877-ATC-SITE

FOR EMERGENCIES CALL: 877-518-6937
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 90 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.

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ATC TOWER SERVICES, LLC
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SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112
COA: FIRM.02041

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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	NW	07/18/19
2			
3			
4			

ATC SITE NUMBER:
205596

ATC SITE NAME:
REBUILD BEAVERCREEK

OH

SITE ADDRESS:
4040 GRAHAM DR
DAYTON, OH 45431

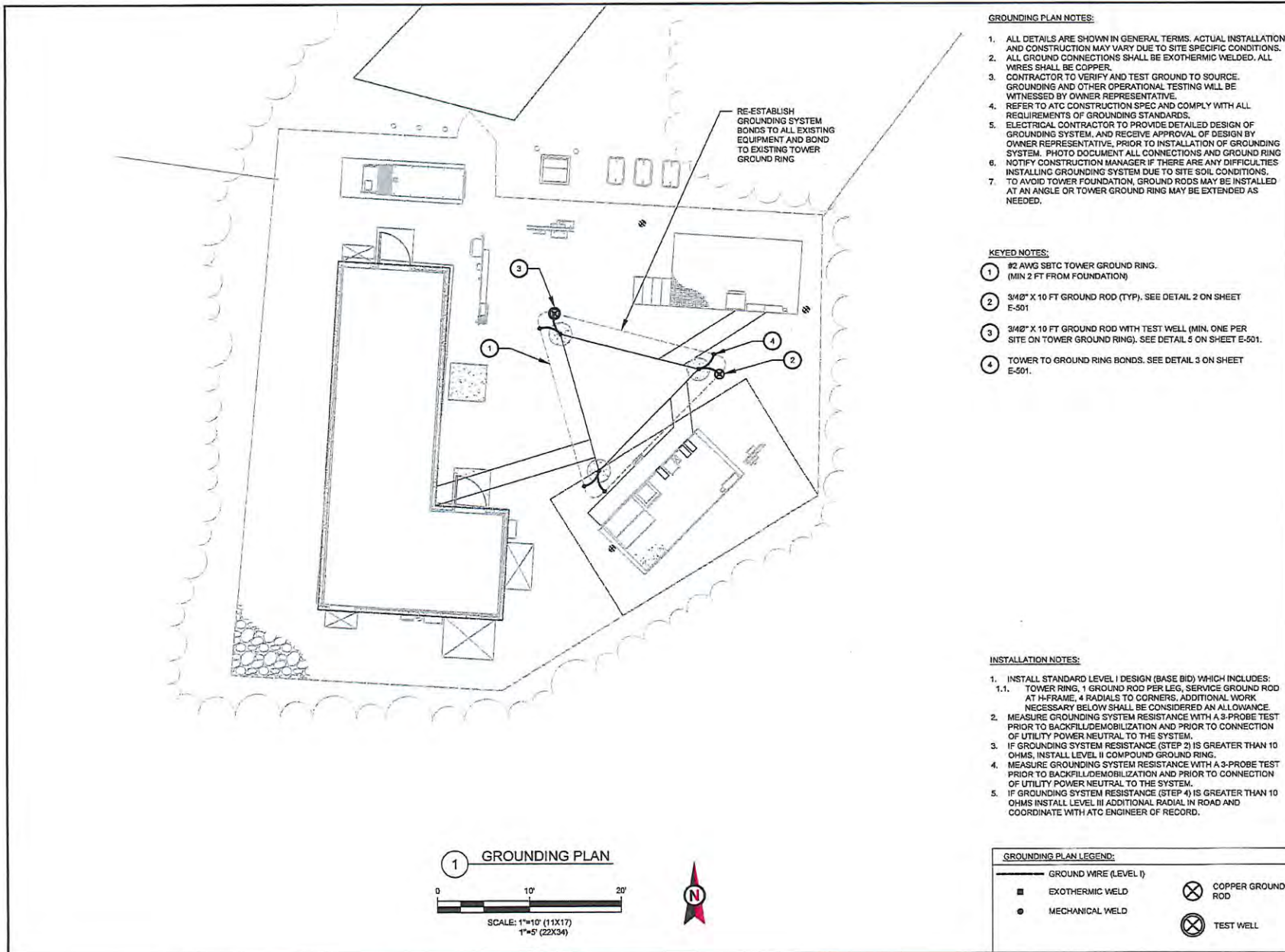
SEAL:



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SIGNAGE	
SHEET NUMBER:	REVISION:
C-501	0

DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/10/19
ATC JOB NO:	12970921
ATC LEGACY #:	307618



GROUNDING PLAN NOTES:

1. ALL DETAILS ARE SHOWN IN GENERAL TERMS. ACTUAL INSTALLATION AND CONSTRUCTION MAY VARY DUE TO SITE SPECIFIC CONDITIONS.
2. ALL GROUND CONNECTIONS SHALL BE EXOTHERMIC WELDED. ALL WIRES SHALL BE COPPER.
3. CONTRACTOR TO VERIFY AND TEST GROUND TO SOURCE. GROUNDING AND OTHER OPERATIONAL TESTING WILL BE WITNESSED BY OWNER REPRESENTATIVE.
4. REFER TO ATC CONSTRUCTION SPEC AND COMPLY WITH ALL REQUIREMENTS OF GROUNDING STANDARDS.
5. ELECTRICAL CONTRACTOR TO PROVIDE DETAILED DESIGN OF GROUNDING SYSTEM, AND RECEIVE APPROVAL OF DESIGN BY OWNER REPRESENTATIVE, PRIOR TO INSTALLATION OF GROUNDING SYSTEM. PHOTO DOCUMENT ALL CONNECTIONS AND GROUND RING.
6. NOTIFY CONSTRUCTION MANAGER IF THERE ARE ANY DIFFICULTIES INSTALLING GROUNDING SYSTEM DUE TO SITE SOIL CONDITIONS.
7. TO AVOID TOWER FOUNDATION, GROUND RODS MAY BE INSTALLED AT AN ANGLE OR TOWER GROUND RING MAY BE EXTENDED AS NEEDED.

KEYED NOTES:

1. #2 AVG SBTC TOWER GROUND RING. (MIN 2 FT FROM FOUNDATION)
2. 3/4" X 10 FT GROUND ROD (TYP). SEE DETAIL 2 ON SHEET E-501
3. 3/4" X 10 FT GROUND ROD WITH TEST WELL (MIN. ONE PER SITE ON TOWER GROUND RING). SEE DETAIL 5 ON SHEET E-501.
4. TOWER TO GROUND RING BONDS. SEE DETAIL 3 ON SHEET E-501.

INSTALLATION NOTES:

1. INSTALL STANDARD LEVEL I DESIGN (BASE BID) WHICH INCLUDES:
 - 1.1. TOWER RING, 1 GROUND ROD PER LEG, SERVICE GROUND ROD AT H-FRAME, 4 RADIALS TO CORNERS, ADDITIONAL WORK NECESSARY BELOW SHALL BE CONSIDERED AN ALLOWANCE.
2. MEASURE GROUNDING SYSTEM RESISTANCE WITH A 3-PROBE TEST PRIOR TO BACKFILL/DEMOLITION AND PRIOR TO CONNECTION OF UTILITY POWER NEUTRAL TO THE SYSTEM.
3. IF GROUNDING SYSTEM RESISTANCE (STEP 2) IS GREATER THAN 10 OHMS, INSTALL LEVEL II COMPOUND GROUND RING.
4. MEASURE GROUNDING SYSTEM RESISTANCE WITH A 3-PROBE TEST PRIOR TO BACKFILL/DEMOLITION AND PRIOR TO CONNECTION OF UTILITY POWER NEUTRAL TO THE SYSTEM.
5. IF GROUNDING SYSTEM RESISTANCE (STEP 4) IS GREATER THAN 10 OHMS INSTALL LEVEL III ADDITIONAL RADIAL IN ROAD AND COORDINATE WITH ATC ENGINEER OF RECORD.

GROUNDING PLAN LEGEND:

- | | |
|-------------------------|---------------------|
| — GROUND WIRE (LEVEL I) | ⊗ COPPER GROUND ROD |
| ■ EXOTHERMIC WELD | ⊗ TEST WELL |
| ● MECHANICAL WELD | |

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 SUITE 100
 CARY, NC 27618
 PHONE: (919) 488-0112
 COA: FIRM.02041

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REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	NW	07/15/19
1			
2			
3			
4			

ATC SITE NUMBER:

205596

ATC SITE NAME:

REBUILD BEAVERCREEK
OH

SITE ADDRESS:

4840 GRAHAM DR
DAYTON, OH 45431

SEAL:



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Jul 18 2019 5:37 PM

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DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/18/19
ATC JOB NO:	12970921
ATC LEGACY #:	307618

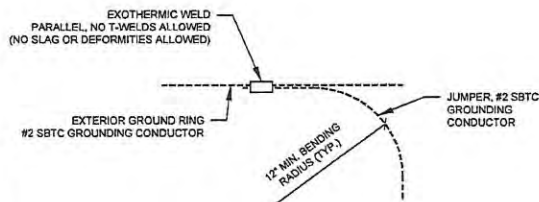
GROUNDING LAYOUT

SHEET NUMBER: REVISION:

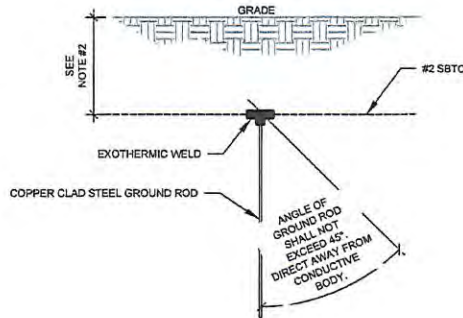
E-401 0

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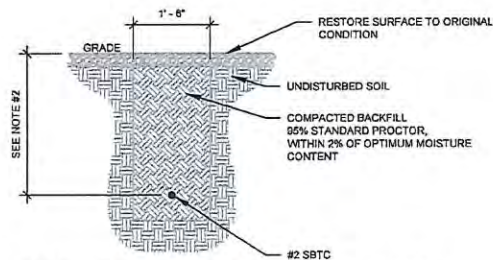
1. LOCATE BEFORE DIGGING.
2. ALL RING AND RADIAL DEPTHS AT 30" OR 6" BELOW FROST LINE, WHICHEVER IS GREATER.
3. WELD GROUND TO FENCE AS LOW AS POSSIBLE TO DETER COPPER THEFT



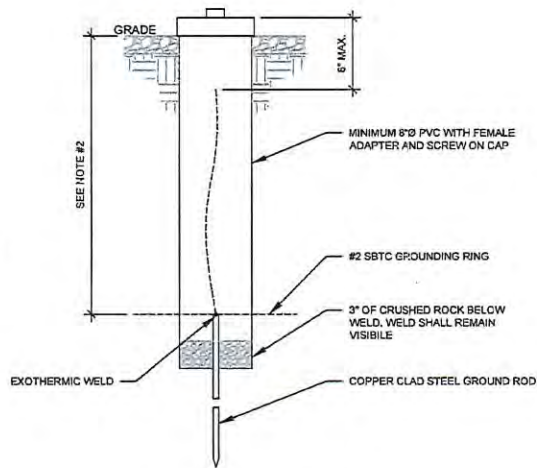
1 TIE CONNECTION DETAIL
SCALE: N.T.S.



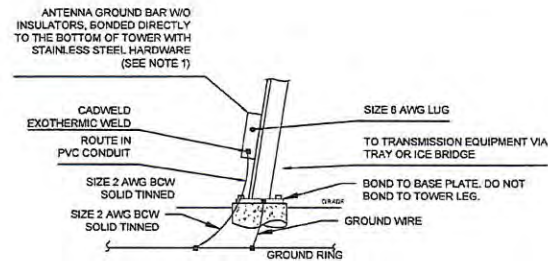
2 GROUND ROD DETAIL
SCALE: N.T.S.



4 GROUND CONNECTION TRENCH DETAIL (STD.)
SCALE: N.T.S.



5 TEST WELL DETAIL
SCALE: N.T.S.



- NOTE:**
1. NUMBER OF GROUNDING BARS MAY VARY DEPENDING ON THE TYPE OF TOWER, ANTENNA LOCATIONS AND CONNECTION ORIENTATION, PROVIDE AS REQUIRED. GROUND BAR IS NOT REQUIRED FOR SITES WITH ONE COAX CABLE.

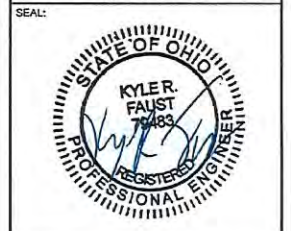
3 TOWER GROUNDING
SCALE: NOT TO SCALE

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CARY, NC 27518
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ATC SITE NUMBER:
205596
ATC SITE NAME:
REBUILD BEAVERCREEK
OH
SITE ADDRESS:
4040 GRAHAM DR
DAYTON, OH 45431



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DRAWN BY:	NW
APPROVED BY:	KRF
DATE DRAWN:	07/18/19
ATC JOB NO:	12970921
ATC LEGACY #:	207618

ELECTRICAL DETAILS

SHEET NUMBER:	REVISION:
E-501	0

Agenda Item VII. A.

CITY OF BEAVERCREEK

RESOLUTION NO. 19-70

SPONSORED BY COUNCIL MEMBER _____ ON THE 9th
DAY OF DECEMBER, 2019.

**A RESOLUTION ACCEPTING THE 2020 CITY BUDGET AS
PRESENTED BY THE CITY MANAGER.**

WHEREAS, this Council in accordance with the provisions of the Code of Ordinances is adopting a Budget for the next succeeding fiscal year commencing January 1, 2020; and

WHEREAS, the City Manager has presented a proposed budget to Council for calendar year 2020 as required by the City Charter Section 6.02(4), and

WHEREAS, the City Council of the City of Beavercreek, Ohio, has certified its action thereon to the citizens; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beavercreek, Greene County, Ohio;

SECTION I

That the amounts in the 2020 Budget are hereby accepted and adopted, and are incorporated herein by reference.

SECTION I

This Resolution shall become effective immediately upon passage.

ADOPTED by the City Council of the City of Beavercreek, Ohio this 9th day of December, 2019.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

Agenda Item VII. B.
Single Reading

CITY OF BEAVERCREEK, OHIO

ORDINANCE NO. 19-30

SPONSORED BY COUNCIL MEMBER _____ ON THE 9th
DAY OF DECEMBER, 2018.

APPROVING THE ANNUAL APPROPRIATIONS FOR THE CITY OF
BEAVERCREEK, STATE OF OHIO, FOR THE FISCAL YEAR
BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020
AND AUTHORIZING THE TRANSFER OF MONIES.

WHEREAS, pursuant to law the City must annually pass an appropriation
ordinance and budget for the next ensuing year, and

WHEREAS, the City Manager has presented this to Council for calendar year
2020 a proposed budget and related appropriations, and

WHEREAS, transfers of monies from one fund to another are authorized under
Ohio Revised Code Section 5705.14 upon a two-thirds affirmative vote of City Council
or by a simple majority of City Council when transferring from the General Fund.

NOW, THEREFORE, THE CITY OF BEAVERCREEK HEREBY ORDAINS:

SECTION I.

The proposed 2020 annual appropriations, which are based on the proposed
budget as reviewed and adopted by City Council, are attached to this
ordinance.

SECTION II.

The amounts stated in Exhibit A: Schedule of 2020 Annual Appropriations are
hereby appropriated for the designated funds to provide for personal services
and other expenses of the City of Beavercreek during said fiscal year ending
December 31, 2020.

SECTION III.

The Financial Administrative Services Director is hereby authorized to make
payments from any of the foregoing appropriations upon receiving the proper
documentation approved by officers authorized by law to approve the same.

SECTION IV.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

SECTION V.

That the transfers stated in Exhibit B: 2020 Budget Transfer Summary are hereby approved for the 2020 Budget pursuant to the Ohio Revised Code.

SECTION VI.

This Annual Appropriation Ordinance shall take effect upon adoption, in accordance with Section 10.10 of the Beavercreek City Charter.

PASSED this 9th day of December, 2019.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

SUMMARY

THIS ORDINANCE IS TO AUTHORIZE ANNUAL APPROPRIATIONS AND TRANSFERS BETWEEN FUNDS FOR THE CITY OF BEAVERCREEK, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020.

THIS IS THE "ANNUAL APPROPRIATION ORDINANCE" AND SO IN ACCORDANCE WITH SECTION 10.10 OF THE BEAVERCREEK CITY CHARTER WILL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

CITY OF BEAVERCREEK
SCHEDULE OF 2020 ANNUAL APPROPRIATIONS
ORDINANCE 19-30

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
101	General Fund			
	<u>City Council</u>			
	Personnel	\$ 81,745		
	Other Expenditures	\$ 84,704	\$ 166,449	
	<u>Clerk of Council</u>			
	Personnel	\$ 88,654		
	Other Expenditures	\$ 21,775	\$ 110,429	
	<u>Planning & Zoning Boards</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 6,740	\$ 6,740	
	<u>City Manager</u>			
	Personnel	\$ 272,157		
	Other Expenditures	\$ 20,435	\$ 292,592	
	<u>Human Resources</u>			
	Personnel	\$ 96,117		
	Other Expenditures	\$ 7,697	\$ 103,814	
	<u>Finance</u>			
	Personnel	\$ 465,930		
	Other Expenditures	\$ 17,942	\$ 483,872	
	<u>Information Services</u>			
	Personnel	\$ 95,189		
	Other Expenditures	\$ 79,634	\$ 174,823	
	<u>Planning & Development</u>			
	Personnel	\$ 608,202		
	Other Expenditures	\$ 33,254	\$ 641,456	
	<u>Contractual Services</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 424,165	\$ 424,165	
	<u>Building Facilities</u>			
	Personnel	\$ 73,673		
	Other Expenditures	\$ 59,486	\$ 133,159	
	<u>District Lighting</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 99,000	\$ 99,000	
	<u>Cemetery</u>			
	Personnel	\$ 147,635		
	Other Expenditures	\$ 59,506	\$ 207,141	
	Capital		\$ 361,400	
	Transfers Out		\$ 1,713,941	
	Advance Out		\$ 570,000	
	General Fund (101) Total			\$ 5,488,981

CITY OF BEAVERCREEK
SCHEDULE OF 2020 ANNUAL APPROPRIATIONS
ORDINANCE 19-30

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
202	Police			
	Administration			
	Personnel	\$ 273,783		
	Other Expenditures	\$ 6,029	\$ 279,812	
	Support Services			
	Personnel	\$ 1,839,235		
	Other Expenditures	\$ 9,000	\$ 1,848,235	
	Emergency/Dispatch - 911			
	Other Expenditures	\$ 53,220	\$ 53,220	
	Corrections			
	Other Expenditures	\$ 259,225	\$ 259,225	
	Allocable Support			
	Other Expenditures	\$ 1,678,418	\$ 1,678,418	
	Special Services			
	Personnel	\$ 1,384,668		
	Other Expenditures	\$ -	\$ 1,384,668	
	Operations			
	Personnel	\$ 5,037,538		
	Other Expenditures	\$ 431,530	\$ 5,469,068	
	Special Duty Trust Account			
	Personnel	\$ 43,033	\$ 43,033	
	COPP			
	Other Expenditures	\$ 3,300	\$ 3,300	
	Facilities Maintenance			
	Personnel	\$ 38,953		
	Other Expenditures	\$ 67,050	\$ 106,003	
	Police Fund (202) Total			<u>\$ 11,124,982</u>

CITY OF BEAVERCREEK
SCHEDULE OF 2020 ANNUAL APPROPRIATIONS
ORDINANCE 19-30

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
203	Street Levy			
	Engineering			
	Personnel	\$ 124,705		
	Other Expenditures	\$ 22,953	\$ 147,658	
	Street Inspection			
	Personnel	\$ 603,232		
	Other Expenditures	\$ 7,023	\$ 610,255	
	Public Adm. Services Administration			
	Personnel	\$ 389,089		
	Other Expenditures	\$ 373,531	\$ 762,620	
	Building Facilities Maintenance			
	Personnel	\$ 133,699		
	Other Expenditures	\$ 126,100	\$ 259,799	
	Street Maintenance			
	Personnel	\$ 1,113,080		
	Other Expenditures	\$ 1,992,508	\$ 3,105,588	
	Snow & Ice			
	Personnel	\$ 210,041		
	Other Expenditures	\$ 136,140	\$ 346,181	
	Weed & Grass Maintenance			
	Personnel	\$ 217,464		
	Other Expenditures	\$ 77,875	\$ 295,339	
	Vehicle Maintenance			
	Personnel	\$ 228,759		
	Other Expenditures	\$ 50,975	\$ 279,734	
	Traffic Safety			
	Personnel	\$ 390,058		
	Other Expenditures	\$ 401,046	\$ 791,104	
	Storm Water			
	Personnel	\$ 231,465		
	Other Expenditures	\$ 184,475	\$ 415,940	
	Capital Improvements		\$ -	
	Transfers Out		\$ -	
	Street Levy (203) Total			<u>\$ 7,014,218</u>

CITY OF BEAVERCREEK
SCHEDULE OF 2020 ANNUAL APPROPRIATIONS
ORDINANCE 19-30

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
204	Street Maintenance Fund			
	<u>Street Maintenance</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 274,729	\$ 274,729	
	<u>Paving</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 440,900	\$ 440,900	
	<u>Snow & Ice</u>			
	Personnel	\$ -		
	Other Expenditures	\$ 461,170	\$ 461,170	
	<u>Capital Improvements</u>		\$ 4,760,000	
	Street Maintenance (204) Total			\$ 5,936,799
205	State Highway			
	Personnel	\$ 99,683		
	Other Expenditures	\$ 79,102	\$ 178,785	
	<u>Capital Improvements</u>		\$ 145,000	
	State Highway (205) Total			\$ 323,785
223	Law Enforcement			\$ 39,665
224	Drug Enforcement			\$ 12,000
226	DUI Enforcement			\$ 15,195
227	Drug Offenses			\$ -
229	Federal Forfeitures			\$ 18,094
234	Youth Activities			\$ -
242	Crime Prevention			\$ -
245	Police Grants			
	Personnel	\$ 41,289		
	Other Expenditures	\$ 3,179		\$ 44,468
250	FEMA Fund			\$ 3,000,000
260	Street Improvement Levy Fund			
	Personnel	\$ -		
	Other Expenditures	\$ 1,429,821	\$ 1,429,821	
	<u>Capital Improvements</u>		\$ 6,250,000	
	Street Improvement Levy Fund (260) Total			\$ 7,679,821

CITY OF BEAVERCREEK
SCHEDULE OF 2020 ANNUAL APPROPRIATIONS
ORDINANCE 19-30

<u>Fund</u>	<u>Description</u>	<u>Subtotals</u>	<u>Division Total</u>	<u>Fund Total</u>
279	Parks Levy Fund			
	<u>Park Maintenance</u>			
	Personnel	\$ 982,450		
	Other Expenditures	\$ 450,401	\$ 1,432,851	
	<u>Recreational Programs</u>			
	Personnel	\$ 58,012		
	Other Expenditures	\$ 211,272	\$ 269,284	
	<u>Senior Center</u>			
	Personnel	\$ 281,691		
	Other Expenditures	\$ 178,775	\$ 461,866	
	<u>Capital Improvements</u>		\$ 294,000	
	<u>Transfer Out</u>		\$ 129,150	
	<u>Debt Service</u>		\$ -	
	Park Levy Fund (279) Total			<u>\$ 2,587,151</u>
300	Debt Service			\$ 546,859
310	Voted Debt Service			\$ 426,504
320	Greene Towne Ctr Assessments			\$ 1,109,534
408	Street Improvement			\$ 358,047
449	Minor Special Assessment District			\$ 526
572	Golf Course			
	<u>Operations</u>			
	Personnel	\$ 336,569		
	Other Expenditures	\$ 342,917	\$ 679,486	
	<u>Food & Beverage</u>			
	Personnel	\$ 337,644		
	Other Expenditures	\$ 197,490	\$ 535,134	
	<u>Maintenance</u>			
	Personnel	\$ 353,433		
	Other Expenditures	\$ 190,488	\$ 543,921	
	<u>Capital</u>		\$ 113,000	
	<u>Bonds</u>		\$ 922,250	
	Golf Course (572) Total			<u>\$ 2,793,791</u>
601	Greene TIF			\$ 350,000
620	Energy Special Improvement District			\$ 377,412
630	Beavercreek Energy SID			\$ 247,628
712	Committed Park Monies			\$ 440
750	Misc. Trust			\$ 22,500
771	Impact Fee			\$ 400,000
816	Cemetery Bequest Fund			\$ -
917	Cash Bond Fund			\$ 239,000
	Total 2020 Annual Appropriations			<u>\$ 50,157,400</u>

Format Required per ORC 5705.38(c)

**CITY OF BEAVERCREEK
2020 BUDGET TRANSFERS & ADVANCE SUMMARY
ORDINANCE 19-30**

TRANSFERS

<u>FROM</u>	<u>TO</u>		<u>AMOUNT</u>
GENERAL FUND (101)	PARK LEVY FUND (279)	\$	240,000
GENERAL FUND (101)	GOLF COURSE FUND (572)	\$	1,472,941
GENERAL FUND (101)	MISCELLANEOUS TRUST FUND (750)	\$	1,000
PARK LEVY FUND (279)	DEBT SERVICE FUND (300)	\$	129,150
STREET CAPITAL IMPROVEMENT (408)	DEBT SERVICE FUND (300)	\$	30,507
<i>TOTAL 2020 TRANSFERS</i>		\$	<u>1,873,598</u>

ADVANCE

GENERAL FUND (101)	STREET LEVY FUND (203)	\$	570,000
<i>TOTAL 2020 ADVANCE</i>		\$	<u>570,000</u>

<i>TOTAL TRANSFERS & ADVANCE</i>	\$	<u>2,443,598</u>
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**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: December 9, 2019	Reference Topic: Pay Schedules for Non-Union Full Time and Part Time Positions and Seasonal and Intermittent Positions
Agenda Reference No.: VII. C.	Resolution 19-71

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input checked="" type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

The resolution provides for Council to set and approve the 2020 Pay Schedules for Non-Union Full Time positions (Exhibit "A" & "B") and Part Time, Seasonal and Intermittent positions (Exhibit "C").

Ohio's minimum wage will be adjusted effective January 1, 2020, which reflects an increase in the Consumer Price Index. The minimum wage will increase from \$8.55 to \$8.70 (approximately 1.75% increase) for non-tipped employees, and from \$4.30 to \$4.35 (approximately 1.16% increase) for tipped employees. Minor adjustments have been made to Grade 902 and Grades 607 through 617 to reduce compression between grades.

The adjustments recommended have been reflected in the 2020 budget that was adopted as part of Resolution 19-70 accepting the 2020 budget.

Pay Schedules are proposed to become effective with adoption of a resolution by Council establishing the Pay Schedules effective January 1, 2020.

STAFF RECOMMENDATION:

It is staff's recommendation that the proposed 2020 Pay Schedules covering Non-Union Full Time and Part Time positions and Seasonal and Intermittent positions be approved.

**CITY OF BEAVERCREEK
RESOLUTION NO. 19-71**

SPONSORED BY COUNCIL MEMBER _____ ON THE 9th DAY OF DECEMBER, 2019.

**RESOLUTION ADOPTING PAY SCHEDULES FOR NON-UNION FULL TIME
CLASSIFIED AND UNCLASSIFIED POSITIONS AND PART TIME,
SEASONAL AND INTERMITTENT POSITIONS.**

WHEREAS, the City desires to update the schedule of pay to retain and recruit employees to serve the City residents.

NOW, THEREFORE, be it resolved by the City Council of Beavercreek, Greene County, Ohio, that:

SECTION I.

The Council hereby adopts the Pay Schedules for Non-Union Full Time Unclassified Positions (Exhibit "A"), Non-Union Full Time Classified Positions (Exhibit "B") and Part Time, Seasonal and Intermittent Positions (Exhibit "C") attached and incorporated by reference herein.

SECTION II.

These Schedules approved and adopted by this Resolution shall have an effective date of January 1, 2020 and shall be effective for all of calendar year 2020 or until such time as amended or changed by legislative action of this Council.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION IV.

This Resolution shall be in full force and go into effect from and immediately after the earliest period allowed by law.

ADOPTED by the Council of the City of Beavercreek, Ohio this 9th day of December, 2019.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

**CITY OF BEAVERCREEK
PAY SCHEDULE
NON-UNION FULL TIME UNCLASSIFIED POSITIONS - ANNUAL SALARY
Effective 01/01/2020**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
201	\$24,592	\$27,175	\$29,756
202	\$28,932	\$31,971	\$35,008
203	\$34,037	\$37,611	\$41,185
204	\$39,657	\$44,748	\$51,085
205	\$44,047	\$48,672	\$53,297
206	\$45,579	\$50,363	\$55,149
207	\$47,109	\$52,056	\$57,001
208	\$51,821	\$57,262	\$62,703
209	\$55,424	\$61,243	\$67,062
210	\$59,409	\$65,630	\$71,851
220	\$62,278	\$67,722	\$73,167
225	\$65,205	\$71,292	\$77,378
230	\$66,936	\$72,789	\$78,642
240	\$71,957	\$78,249	\$84,541
250	\$77,342	\$84,117	\$90,892
260	\$83,148	\$90,423	\$97,698
270	\$89,247	\$97,320	\$105,394
275	\$89,880	\$99,317	\$111,337
280	\$90,248	\$102,819	\$115,391
285	\$98,875	\$108,767	\$118,659
290	\$110,497	\$118,951	\$128,453

**CITY OF BEAVERCREEK
PAY SCHEDULE
NON-UNION FULL TIME CLASSIFIED POSITIONS - HOURLY PAY RATES
Effective 01/01/2020**

<u>GRADE</u>	<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
310	\$9.94	\$11.43	\$12.92
320	\$10.93	\$12.57	\$14.21
330	\$12.01	\$13.81	\$15.61
340	\$13.27	\$15.26	\$17.25
350	\$14.54	\$16.73	\$18.90
360	\$15.99	\$18.39	\$20.79
400	\$16.96	\$19.51	\$22.05
401	\$17.60	\$20.24	\$22.88
402	\$17.93	\$20.61	\$23.30
403	\$18.23	\$20.97	\$23.70
404	\$19.61	\$22.55	\$25.49
405	\$21.09	\$24.25	\$27.41
406	\$21.29	\$24.48	\$27.68
407	\$22.35	\$25.70	\$29.05
408	\$24.35	\$28.00	\$31.65
409	\$26.18	\$30.11	\$34.03
410	\$28.14	\$32.36	\$36.58
411	\$30.27	\$34.81	\$39.35
412	\$32.53	\$37.41	\$42.29

CITY OF BEAVERCREEK
 PAY SCHEDULE - HOURLY RATES
 Effective 01/01/2020

PART TIME

<u>Grade</u>	<u>Minimum</u>	<u>Maximum</u>
900	\$ 4.35 *	\$ 8.70
901	\$ 8.70 *	\$ 11.06
902	\$ 9.30 **	\$ 13.60
903	\$ 10.38	\$ 16.59
904	\$ 10.71	\$ 17.14
905	\$ 11.12	\$ 19.00
906	\$ 15.40	\$ 20.55
907	\$ 15.77	\$ 31.50

SEASONAL AND INTERMITTENT

<u>Grade</u>	<u>Minimum</u>	<u>Maximum</u>
600	\$ 4.35 *	\$ 8.70 *
601	\$ 5.54	\$ 8.70 *
602	\$ 7.44	\$ 8.70 *
603	\$ 8.70 *	\$ 9.56
604	\$ 8.70 *	\$ 9.99
607	\$ 8.90 **	\$ 10.54
609	\$ 9.15 **	\$ 10.72
610	\$ 9.40 **	\$ 10.94
613	\$ 9.90 **	\$ 11.25
615	\$ 10.15 **	\$ 11.53
617	\$ 10.40 **	\$ 12.34
619	\$ 10.70	\$ 12.48
620	\$ 11.03	\$ 12.83
621	\$ 11.20	\$ 12.74
623	\$ 12.44	\$ 13.80
625	\$ 14.37	\$ 16.62
630	\$ 15.76	\$ 21.01

* Ohio Minimum Wage

** Minor adjustments to reduce compression between grades

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

Meeting Date: December 9, 2019	Reference Topic: City Manager and Clerk of Council Wage Adjustment
Agenda Reference No.: VII. D.	Resolution 19-72

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other _____

RESPONSIBLE DEPARTMENT OR AGENCY		
<input type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input checked="" type="checkbox"/> Human Resources	<input type="checkbox"/> Other _____

BACKGROUND AND STAFF SUMMARY:

This resolution provides for Council to set and approve the 2020 wage for the City Manager and the Clerk of Council.

STAFF RECOMMENDATION:

Council has conducted a performance review for both the City Manager and the Clerk of Council, and therefore recommends approval of the resolution.

**CITY OF BEAVERCREEK
RESOLUTION NO. 19-72**

SPONSORED BY COUNCIL MEMBER _____ ON THE 9th DAY OF
DECEMBER, 2019.

**A RESOLUTION TO SET AND APPROVE THE 2020 WAGE FOR CITY
MANAGER AND CLERK OF COUNCIL.**

WHEREAS, this Council, by custom, has conducted performance reviews and set the wage and compensation of City Manager and Clerk of Council on an annual basis; and

WHEREAS, this Council desires to now set the wage and compensation of City Manager and Clerk of Council;

NOW, THEREFORE, the City Council of the City of Beavercreek hereby ordains that:

SECTION I.

The 2020 calendar year wage for the City Manager shall be increased by two and one half (2 1/2) percent. The 2020 calendar year wage for the Clerk of Council shall be set at \$58,240.

SECTION II.

This wage shall have an effective date of January 1, 2020 for the City Manager and City Clerk. The wage approved and adopted by this Resolution shall be effective for all of calendar year 2020 or until such time as amended or changed by legislative action of this Council.

SECTION III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION IV.

This Resolution shall be in full force and go into effect from and immediately after the earliest period allowed by law.

ADOPTED by the Council of the City of Beavercreek this 9th day of December, 2019.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

**CITY OF BEAVERCREEK
CITY COUNCIL
AGENDA ITEM REPORT**

MEETING DATE: December 9, 2019	REFERENCE TOPIC: Resolution 19-73 Accepting Amounts and Rates and Certifying them to the County Auditor
AGENDA REFERENCE NO: VII-E	

ACTION REQUESTED		
<input type="checkbox"/> Adopt Ordinance	<input checked="" type="checkbox"/> Adopt Resolution	<input type="checkbox"/> Review and Comment
<input type="checkbox"/> No Action Requested	<input type="checkbox"/> Accept Staff Recommendation	<input type="checkbox"/> Other

RESPONSIBLE DEPARTMENT OR AGENCY		
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> City Council	<input type="checkbox"/> Law
<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Engineering	<input type="checkbox"/> Planning & Zoning
<input type="checkbox"/> Police	<input type="checkbox"/> Public Service	<input type="checkbox"/> City Manager
<input type="checkbox"/> Clerk of Council	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Other

BACKGROUND AND STAFF SUMMARY:

The original resolution accepting amount and rates and certifying them to the County Auditor was adopted September 23, 2019. At that time County Auditor had not set the rates for the "General Bond Retirement Fund" for the Public Service building debt service levy approved by the residents.

Each year the rate is determined by the County Auditor based on the fund balance and the debt service payment for the upcoming fiscal year. For fiscal year 2019 (payable in 2020), the Greene County Auditor has established the rate to be .25 mills which is .03 mills less than the previous fiscal year. This reduction in the millage will be reflected in the 2019 tax duplicate which will be paid by residents in 2020. This represents a reduction in property taxes of one dollar and five cents (1.05) per \$100,000 of value.

City Council must pass the attached resolution accepting the amounts and rates for the "General Bond Retirement Fund". This Resolution authorizes the necessary tax and certifies the amounts and rates to the Greene County Auditor in compliance with ORC sections 5705.34.

STAFF RECOMMENDATION:

It is recommended that Council approve the attached Resolution Accepting the amounts and rates for the General Bond Retirement fund levy to be assessed for the year 2019 payable in 2020.

**CITY OF BEAVERCREEK, OHIO
RESOLUTION NO. 19-73**

SPONSORED BY COUNCIL MEMBER _____ ON THE 9th DAY
OF DECEMBER, 2019.

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING
THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR.**

WHEREAS, this Council in accordance with the provisions of law have previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2020; and

WHEREAS, the Budget Commission of Greene County, Ohio, has certified its actions thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by the Council, and what part thereof is without, and what part within the ten mill tax limitations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beavercreek, Greene County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same is hereby accepted; and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SEE ATTACHED SCHEDULE:

SECTION I.

This Resolution shall become effective immediately upon passage.

ADOPTED by the City Council of the City of Beavercreek, Ohio this 9th day of December, 2019.

Bob Stone, Mayor

ATTEST:

Dianne Miscisin, Clerk of Council

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(CITY COUNCIL)

Rev. Code, Secs. 5705.34, 5705.35

The Council of the City of Beavercreek, Greene
County, Ohio, met in _____ Session On the _____ day of _____,
(Regular or Special)
20____, at the office of _____ with, the following members
present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st,
20____; and

WHEREAS, The Budget Commission of Greene County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Auditor
of the rate of each tax necessary to be levied by this Council, and what part thereof is
without, and what part within the ten mill tax limitation; therefore be it

RESOLVED, By the Council of the City of Beavercreek Greene
County, Ohio, that the amounts and rates, as determined by the Budget Commission in
its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City
the rate of each tax necessary to be levied within and without the ten mill limitation as
follows:

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND
COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget, Com- mission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied		
			Inside 10 Mill Limit	Outside 10 Mill Limit	
	Column II	Column IV	V	VI	
General Fund					
General Bond Retirement Fund	\$360,000.00			0.25	
Park Fund					
Recreation Fund					
Fund					
Fund					
				</	

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

	FUND	Maximum Rate Authorized to Be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column 11)	
	General Fund:			
	Current expense levy authorized by voters on			
	for not to exceed years.			
	Current expense levy authorized by voters on			
	for not to exceed years.			
	Total General Fund outside 10 m. Limitation.			
	Park Fund: Levy authorized by voters on			
	for not to exceed years.			
	Recreation Fund: Levy authorized by voters on			
	for not to exceed years.			
	Bond TY 2001-2020 Fund: Levy authorized by voters on 11/6	0.25	\$360,000.00	
	for not to exceed 20 years.			

CERTIFICATE TO COPY

ORIGINAL ON FILE

The State of Ohio, Greene County, ss.

I, _____, Clerk of the Council of the City of
Beavercreek, within and for said County, and in whose
custody the Files and Records of said Council are required by the Laws of the State of
Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original

now on file, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20_____

Clerk of Council

1. A copy of this Resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Board of Tax Appeals

No. _____

COUNCIL OF THE CITY OF

County, Ohio.

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES AS
DETERMINED BY THE BUDGET COMMISSION
AND AUTHORIZING THE NECESSARY
TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR.
(City Council)

Adopted _____ Year _____

Clerk

Filed _____ Year _____

County Auditor

By _____ Deputy

CITY COUNCIL
Regular Meeting – January 13, 2020 6:00 p.m.
Council Chambers

1368 Research Park Dr
Beaver Creek, Ohio

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE AND PRAYER/MOMENT OF SILENCE – Mayor Stone
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
- VI. ORDINANCES, RESOLUTIONS AND PUDS
 - A. Resolution 20-01 Authorize Finance Director to Request the Auditor of Greene County for Advance of Real Estate and Public Utility Taxes
- VII. DECISION ITEM
 - A. Council Member Appointment Committee
- VIII. COUNCIL TIME
- IX. MAYOR'S REPORT
- X. CITY MANAGER'S REPORT
- XI. CITIZEN COMMENTS
- XII. ADJOURNMENT

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. DISCUSSION ITEMS
 - A. Facility Damage
 - B. Financial Overview Strategy
- V. COUNCIL COMMITTEE/EVENT UPDATES
- VI. ADJOURNMENT

DRAFT

PLANNING DEPARTMENT STATUS REPORT

December 3, 2019

CITY COUNCIL

December 9, 2019

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Tabled / Delayed / Pending

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PLANNING COMMISSION

December 4, 2019

- PUD 519 MOD 8/19, Minor, Beaver Valley Shopping Center- Ground Sign (Tabled at November PC meeting.)
- PUD 19-1 SSP #1, IH Credit Union, public hearing (Case was tabled per applicant's request)
- Z-19-2, Henkle Rezoning, I-1 to ORP-1
- S-19-6, Mall at Fairfield Commons Lot 4A

Tabled / Delayed / Pending

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Commercial Permits Submitted and Under Review

- Noah's Event Venue
- Fifth Third Bank

BOARD OF ZONING APPEALS

December 11, 2019

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Currently Tabled or Delayed

- V-19-6, GNS Investment Properties, 3878 Indian Ripple Road
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